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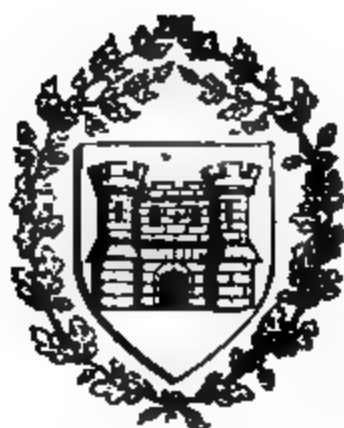
TEWKESBURY ABBEY CHURCH.
(EAST ELEVATION)

DESIGNED BY J. H. P. FOR JAMES BARNES, ROCKFORD, ILL.

*William Diller,
1830*

THE
HISTORY
OF
TEWKESBURY.

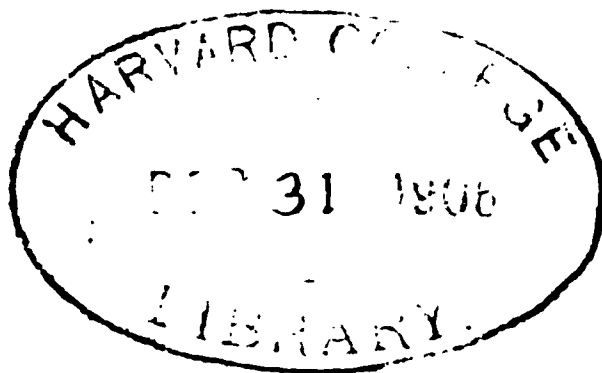
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PREFACE.

THE following sheets owe their appearance to the numerous applications made to the Editor, in his business as a Bookseller, for a work of this description: finding no other person disposed to undertake the task of writing, or the risk of publishing, he was induced to take the responsibility of both upon himself.

After having made considerable progress, his collections appeared so voluminous that he should have been deterred from proceeding, had he not been encouraged by the number and respectability of the Subscribers, as well as by the consideration, that, by printing the work at his own press, at intervals of leisure afforded by the absence of more profitable employment, he should be enabled to diminish the expenses necessarily attendant on such a publication.

For the insertion of many local circumstances, which, as matters of record, are beneath "the dignity of History," and for the frequency and length of the notes, which may possibly appear to be introduced for the mere purpose of amplifying the work, the Editor can hardly expect to escape censure: he was, however, more willing to incur blame for the introduction of what might be considered unimportant to the many, than for the omission of what would probably be of interest to the few.

His chief endeavour has been to render the volume as useful and interesting as possible to the natives and residents of Tewkesbury: if he shall have effected that object in any degree, and lessened the labours of a future and more efficient Historian, by collecting and preserving some documents which might otherwise have been lost, his highest ambition will be gratified.

The Editor will be happy to receive communications which may serve to rectify any error, or supply any omission, in the History of Tewkesbury; in order that he may be the better enabled to publish a new edition, should it hereafter be deemed requisite.

Tewkesbury, March, 1830.

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HISTORY OF TEWKESBURY.

CHAPTER I.

SITUATION, SOIL, &c.

TEWKESBURY is situated at the northern extremity of the county of Gloucester, in the lower division of the extensive hundred to which it gives its name;* it is distant one hundred and three miles from London, ten from Gloucester, eight from Cheltenham, thirteen from Evesham, fifteen from Worcester, thirteen from Malvern Wells, fourteen from Ledbury, and in the direct road from Bristol to Birmingham, from which places it is nearly equi-distant. Lon. 2.8. W.—Lat. 51.59. N.

It is surrounded by a wide and level extent of fertile meadow, pasture and arable land, intersected by four rivers, which almost insulate the town. The most considerable of these are the Severn and the Upper or Warwickshire Avon: the former serves as a boundary to the parish for several miles, and follows the curvature of a large meadow, called the Ham, to the westward; and the latter receives the river Carron at one extremity of the town, and washes its walls almost as far

* Tewkesbury is bounded by the parishes of Bredon, Twynning, Ripple and Bushley, on the north—Forthampton, Chaceley and Deerhurst, on the west—Elmstone Hardwick and Tredington, on the south—and Walton Cardiff and Ashchurch, on the east: four of which parishes, viz. Bredon, Ripple, Bushley and Chaceley, are in Worcestershire, and the others in Gloucestershire.

as its junction with the Swilgate, at the other—soon after which the Avon loses itself among the waters of the more majestic Severn.

Tewkesbury has by some been considered as forming part of the fine vale of Evesham, but ancient maps and the best informed of modern writers have uniformly placed it within the vale of Gloucester, to which it appears naturally to belong.* The fertility of this celebrated vale was the theme of the historian's praise, and the subject of the poet's encomium, long before the bounty of nature had been aided by the present improved mode of agriculture. William of Malmsbury tells us, that it produced in great abundance fruits and grain, the joint effects of its fine soil, and the labour of its hinds—the husbandman being stimulated to work, by having his exertions rewarded with a produce of one hundred fold. "In this favoured spot you may behold," says he, "the public highways shaded and adorned with trees loaded with fruit, not placed there by the hand of man, but by the generosity of nature. The earth spontaneously brings forth her gifts, fruits of the richest taste and brightest beauty; which, almost imperishable, may be preserved from the time of their being taken in till the season of gathering again returns. Grapes, famous for their flavour, are here produced in quantities, and manufactured into wines of the highest relish, equally luscious with those of France.† Numerous towns overspread the vale, which is

* "The vale of Gloucester is, in outline, somewhat semicircular: the Severn the chord, the environing hills the arch: the towns of Gloucester, Tewkesbury and Cheltenham forming a triangle within its area. Its extent, from the foot of Matson hill, to that of Bredon hill (its utmost limit to the north), is about fifteen miles; from the Severn to the foot of Dowdeswell hill, seven or eight miles."—*Marshall's Rur. Econ. of Gloucestershire*.

† Notwithstanding that William of Malmsbury, who wrote in the twelfth century, so unequivocally attests the existence of vineyards in this neighbourhood, Sir Robert Atkyns and others assert that they were only apple-orchards! Mr. Pegge however, (*Arch.* i. 329), thinks that there were few great monasteries in England which had not vineyards. It is certain that one belonged to the manor of Tewkesbury, and was probably situate near Holme Castle, as the field upon which that building stood is to this day

further enriched with populous villages, and costly places of public worship.”—Drayton too, in his *Polyolbion*, personifying this beautiful district, makes it boast an excellence, which it may assert with justice :

“ I, which am the Queen
 “ Of all the British vales, and so have ever been
 “ Since Gomer’s giant brood inhabited this isle,
 “ And that of all the rest myself may so enstile.”

From the neighbourhood being subject to inundations, some have thought the town must consequently be unhealthy ; but there are few places which enjoy a purer air, and the excellent water obtained here undoubtedly adds to the salubrity of the place.

The most intelligent agriculturist* who has written on the subject, says, that the soil near the town is of a deep rich loam, but varying as you proceed in different directions : he seems to consider no further proof necessary to convince us of the excellence both of its soil and its climature, than the fact of its having been selected as the site of a monastery—the clergy of former times being admirable judges in these matters.

On many of the eminences in the immediate vicinity of the town, the views are as rich and varied as can well be conceived : Malvern hills, the bases of which are thickly studded with cheerful and elegant residences, are fine features in many of the most interesting and beautiful landscapes ; Bredon, and the hills of Cleeve, Stanway, and other portions of the long chain of Cotswolds, enlivened by the smiling villages and fertile meadows in the intervening vallies, present objects which the admirers of picturesque scenery could not behold without delight : many of these prospects are much heightened

called “the Vineyard.” If the fact of grapes being raised in this vineyard needed confirmation, the following would put the matter beyond a doubt :—a messuage and land in Twynning was held of the Lord of Tewkesbury on certain conditions, one of which was the “finding a man for sixteen days in digging in the vineyards, and gathering the grapes for three days.”—*Inq. ad. q. d.* 39 *Edw. III.*—*Fosbr. Glouc.* 11. 293.

† Marshall, *Rur. Econ. of Gloucestershire.*

by occasional glimpses of the Severn, with the "white swelling sails" of the numerous vessels floating on the bosom of that magnificent stream, and by the waters of the "soft-flowing Avon."

Mineral waters, possessing the same qualities as some of the wells at the far-famed springs of Cheltenham, are found in the immediate neighbourhood of Tewkesbury;* but here, as it has been aptly observed, "No Naiad will be worshipped, 'till temples have been likewise erected to pleasure, convenience, and dissipation."†

* At Walton Cardiff, a small village about a mile to the eastward of Tewkesbury, are some excellent springs of mineral waters, nearly resembling those of Cheltenham. In the year 1746 some idea was entertained of endeavouring to make it a place of general resort: the properties of the waters were however but little known until 1787, when Dr. James Johnstone, one of the physicians to the Worcester infirmary, published an interesting account of them, accompanied by many chemical experiments. These were made from waters obtained at the well near the mansion, to which the public cannot now of course expect to be indiscriminately admitted, owing to the constant residence of the proprietor; but Mr. Witts, the occupier of part of the estate, freely allows respectable visitors the unrestricted use of a pump in his court-yard, which yields water of a quality similar to that at the original spa, and in the summer time it is much frequented.

† Fosbroke, Hist. of Gloucester.

CHAPTER II.

ETYMOLOGY AND EARLY HISTORY.

THE derivation of the name of this ancient town, like that of many others, is enveloped in much mystery: the researches of the historian and the antiquary have left the matter in nearly the same uncertainty in which they found it; and it will therefore not be expected that we shall attempt to decide a point on which the opinions of so many eminent philologists are at variance.

Tradition, which is generally to be preferred to conjecture, has ascribed its origin to Theocyr, a recluse, who is said to have erected a chapel and fixed his residence here about the end of the seventh century.* This is not only the most ancient and generally received etymon, but is perhaps the most probable; and, as we are assured that the Saxons called the place *Deotirbyrn*, that is, Theotisbyrg, or the town belonging to Theot,† we may certainly, without any great stretch of fancy, suppose the name to have come from Theocus.

Skinner, in his *Etymologicon Anglicanum*, says the Anglo-Saxon name was “*Deocrbuný*, i.e. *Curia seu fanum Theoci viri sancti eremitæ*.”

Camden asserts that, in Saxon times, it was called *Theocrbuný*, by others *Theoc's Court*, from Theoc, who there led the life of a hermit.

* Cotton MS. Cleop. c. 111.

† See a copy of a very curious Saxon inscription, found by Hackluyt in Leominster church in 1592, which is preserved in the addenda to Weever's *Funeral Monuments*.

According to Camden,* Leland, in some Latin verses, of which the following is a translation, had the same idea of its derivation:—

“ *Theocus*’ Court, with spacious market place,
 “ Proud of the spoils of the Lancastrian race ;
 “ Where Severn with the Avon waters joins ;
 “ The sacred resting-place of nobles shines ;
 “ Here lodg’d the mould’ring bones and ashes are
 “ Of men renown’d for glorious feats of war.”

Mr. Fosbroke says, “ Odda and Dudda, two Mercian dukes, were lords of this place, which was probably named Teokesbury, from *Teoke*† and Bury, it being the town of these *Dukes* of Mercia.

William of Malmsbury derives the name from the Greek word Θεοτοκος, signifying the Mother of God, because the church was dedicated to the Virgin Mary.

The learned and ingenious Baxter supposes Tewkesbury to be the *Etocessa* of the Romans, latinized by them from the British *Etoc isceu*, faux aquarum; and afterwards changed by the Saxons into Theocrbyrig, or the town of Etocessa.

Rudder‡ thinks it is derived from *Dodo* or *Thodo*, one of the earliest lords of the manor of whom we have any account, the *D* and *Th* being, as he observes; often substituted for each other in Saxon names; and that from this Dodo comes the Latin *Thodocus*, from which he supposes *Teodechesberie*, as it appears in Domesday, to have been derived.

Antiquaries are also somewhat divided in opinion concerning the derivation and meaning of the word *Borough*, *Bury*, *Burg*, *Byrig*, or *Burgus*, all which had originally the same signification—a number of houses placed together for the sake

* Gough’s edition, i. 381.

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‡ History of Gloucestershire.

of safety.* The Saxons termed most hills that had entrenchments upon them *Beorh*, or *Burh*, and hence some have supposed that there was a camp at or near to Tewkesbury at the time of its foundation.

It is said by Cæsar, that "what the Britons call a town, is a tract of woody country, surrounded by a mound and ditch, for the security of themselves and their cattle against the incursions of their enemies;" and we may reasonably believe Tewkesbury to have been a town of this description from very early times, as it is certain that it was nearly encompassed by immense tracts of wood land, and the rivers alone formed a natural defence in times of war and danger, such as few other situations presented.

The Romans therefore perhaps found the spot, on which Tewkesbury now stands, occupied by the Britons, and by them denominated a town. It is probable that the imperial legions took possession of Tewkesbury, A.D. 44, at the time they penetrated as far as *Caer Glow* (Gloucester), the name of which place they changed to *Glevum*. We shall endeavour, in a subsequent chapter, to shew that the "conquerors of the world" had roads either through or in the immediate vicinity of this place; and from the following passage in Tacitus, "*Ille*" (Ostorius) "*detrahare arma suspectis, cinctosque castris Antonam et Sabrinam fluvios cohibere parat*," † it has been inferred that the Roman pro-prætor Ostorius Scapula, in the reign of the Emperor Claudius Cæsar, built forts on the Severn and Avon, and stationed himself in this neighbourhood for a considerable time. Dr. Nash conjectures the meaning of this passage of the historian to be, that Ostorius posted his forces on those rivers, to prevent the Britons, who were in possession of Worcestershire, from marching further than Tewkesbury.

* A burgh is defined to be "the placing or situation of many houses together."—*Cluverius Germania Antiqua*. And Sir Robert Cotton says, "we use this word *Burgus*, *Bury*, *Borough*, being all one, as a common name for a town."—*Hearne's Antiq. Disc.* v. l. p. 105.

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† “A.S. *Dur.* I take *Theocus*, the hermit, whether the story be true or false, to be a latinization of the A.S. *Theoke*, and proving nothing in respect to the etymon.”—*Fosbroke’s Gloucestershire*, v. 2. p. 278.—The same author says, “*Teoke*, Anglo-Saxon, for General, is in my judgment, the manifest etymon.”—*Gent. Mag. Supp.* pt. 2. 1826.

‡ History of Gloucestershire.

of safety.* The Saxons termed most hills that had entrenchments upon them *Beoph*, or *Burgh*, and hence some have supposed that there was a camp at or near to Tewkesbury at the time of its foundation.

It is said by Cæsar, that “what the Britons call a town, is a tract of woody country, surrounded by a mound and ditch, for the security of themselves and their cattle against the incursions of their enemies;” and we may reasonably believe Tewkesbury to have been a town of this description from very early times, as it is certain that it was nearly encompassed by immense tracts of wood land, and the rivers alone formed a natural defence in times of war and danger, such as few other situations presented.

The Romans therefore perhaps found the spot, on which Tewkesbury now stands, occupied by the Britons, and by them denominated a town. It is probable that the imperial legions took possession of Tewkesbury, A.D. 44, at the time they penetrated as far as *Caer Glow* (Gloucester), the name of which place they changed to *Glevum*. We shall endeavour, in a subsequent chapter, to shew that the “conquerors of the world” had roads either through or in the immediate vicinity of this place; and from the following passage in Tacitus, “*Ille*” (Ostorius) “*detrahære arma suspectis, cinctosque castris Antonam et Sabrinam fluvios cohibere parat,*” † it has been inferred that the Roman pro-prætor Ostorius Scapula, in the reign of the Emperor Claudius Cæsar, built forts on the Severn and Avon, and stationed himself in this neighbourhood for a considerable time. Dr. Nash conjectures the meaning of this passage of the historian to be, that Ostorius posted his forces on those rivers, to prevent the Britons, who were in possession of Worcestershire, from marching further than Tewkesbury.

* A burgh is defined to be “the placing or situation of many houses together.”—*Cluverius Germania Antiqua*. And Sir Robert Cotton says, “we use this word *Burgus*, *Bury*, *Borough*, being^d all one, as a common name for a town.”—*Hearne’s Antiq. Disc.* v. 1. p. 105.

† Tacit. Annal. b. 12, p. 31.

From this it would appear, that the Roman general planted his army at the Mythe, where are the remains of a strong fortification, with a tumulus; and also at Towbury Hill, in the parish of Twynning, about three miles distant, where there is a large elevated encampment, which Leland supposes was the site of the residence of one of the Mercian kings, though there can be no doubt of its having been also a Roman station.*

It may indeed be said, that there is now observable a chain of fortifications along the banks of the Severn, from Tewkesbury to Worcester; for, independently of those at the Mythe and Twynning, there are traces of entrenchments on the hill at Southend, near Upton; and in the neighbourhood of Kempsey,

* In Roman camps, the figure was generally square or oblong, with the angles sometimes obtuse or rounded off; and Horsley says, that, in selecting a site for their encampments, "there is nothing that the Romans seem to have had a greater regard to, than the convenience of a river." The situation of the camp at Twynning was therefore well suited to their views; and as Roman coins have been frequently found upon the spot, there is every probability that it was occupied by the armies of Rome. The form is an irregular oblong square; the west side, which looks towards the Severn, is nearly twice as long as the east; and the north and west sides are strongly defended by a precipitous declivity. The camp comprises nearly twenty acres of fine fertile pasture land, and forms part of the estate of William Law Phelps, esq. who has a mansion contiguous, called Puckrup House. It required comparatively little labour to suit it to the purposes of a military encampment, for nature formed it a considerable headland: it is about half a mile distant from the Severn, and commands a view of that river for some length, as well as a great extent of country on both sides thereof. It is fortified all round with entrenchments, and on the south side is a considerable excavation, where probably the residence of the general was placed, for the sake of enjoying as much as possible of the meridian sun, an indulgence needed by the natives of a climate so much warmer. As the camps of the Romans were frequently adopted and altered by the different invading powers which succeeded them in their ascendancy over Britain, it is extremely probable that this camp was occupied by the Saxons and Danes, and might indeed have been the residence of more than one of the Mercian monarchs. Leland calls this spot "Tetbyri Castelle," but perhaps the mistake originated with the transcriber or printer, and not with the venerable antiquary: he says it "is a two miles from Theokesbyri, above it, in *ripa lava Sabrinae*, upon a cliv with doble diches, in the parochie of Twynning. It is now overgrowne with trees and bushes of juniper. It longgid to Winchelcumbe abbay. Peraventure it was King Offa or King Kenulphus' house."—*Itin. v. 6. p. 76.*

about three miles from Worcester; a strong encampment is very distinguishable. As Upton has undisputed claims to having been a Roman station, it may therefore be concluded that these fortifications owe their construction to Ostorius.

There are also the remains of a large camp at Kemerton Hill,* and of a smaller one at Conderton Hill,† both of which command an extensive line of level country, and overlook the Severn and the Avon for a considerable distance: in the neighbourhood of these camps, especially near the latter, a number of Roman coins have at various times been discovered.

Mr. Lethieullier exhibited to the society of antiquaries, in 1730, a silver Trajan and a brass Maximian, found in a meadow near Tewkesbury.‡ Roman coins are now frequently dug up in the Oldbury gardens, and many were found in the neighbourhood of the abbey church in 1828.

The Severn was anciently the boundary of two distinct nations, viz. the *Silures*, or natives of the western bank, including Herefordshire, Monmouthshire, and a portion of South Wales, and the *Dobuni*, who occupied the eastern bank, and the extended heights in its rear.§ Tacitus calls the *Silures* an insulting and pugnacious race, and the Romans could only effect their subjugation after a nine years' war, when Carac-tacus, who had frequently triumphed over the invaders, was defeated by Ostorius. Against the incursions of their rapacious

* On Kemerton Hill is a large camp, of a triangular shape, two sides of which are defended by the steep precipice of Bredon Hill, looking to the north and west; the south and south-east sides are guarded by two ditches, about twenty yards wide each; the whole ground within the camp is upwards of twenty-one acres.—Nash's *Worcestershire*.

† The camp on Conderton Hill is of an oval shape, one hundred and sixty-five yards long and seventy-one yards wide, and is traditionally said to have been constructed by the Danes. The Romans however probably occupied it, as the coins of that empire are not only sometimes found in its vicinity, but also in the adjoining village of Overbury.

‡ Gough's Add. to Camd.

§ The *Dobuni*, or as they are named by Dio, the *Boduni*, inhabited the counties of Gloucester and Oxford; which were afterwards comprehended in the Roman province Britannia Prima.

neighbours, the *Dobuni* threw up fortresses on the range of hills which extend from the Cotswolds to Bath;* and these fortifications were subsequently adopted by the Romans, whilst they occupied Britain. Some of these camps are decidedly British, others Roman, and it would be difficult to say whether some partake most of the British, Danish, or Roman character—having been doubtlessly altered by the successive reigning powers, to suit their ideas of conveniency or utility.

The earliest account we have of the history of Tewkesbury, to which any degree of credit can be given, informs us that Odo and Dodo, two noble Saxon brothers, who flourished at the commencement of the eighth century, and who were joint lords of the manor, had a palace here; and that they either converted their residence into a religious house, or founded one near thereto, and endowed it with considerable possessions. Camden has preserved the following inscription, which, he says, was to be seen at Tewkesbury long after the transaction which it was designed to commemorate took place:

PATRI AVLAŢ REGITŢ DODO DVX CONSECRAŢI
FECIT IN ECCLESIAŢ.

The import of which is, that “Duke Dodo caused this royal palace to be converted into a church.” But Dugdale affirms, that the Register of the Abbey of Tewkesbury refers this inscription to the Duke’s house at Deerhurst.†

* Independently of those already enumerated, there are several other camps in the vicinity of Tewkesbury, viz. on Nottingham Hill, Cleeve Hill, Leckhampton Hill, Crickley Hill, Churchdown, &c.

† Whether Camden is correct, or whether he erroneously attributed to Tewkesbury an inscription which belonged to Deerhurst, it is certain that the following was placed over the gate of Deerhurst priory:

“Hanc Aulam Dodo Dux consecrari fecit in Ecclesiam, ad Honorem
Beatæ Mariæ Virginis ob amorem fratris sui Almarici.”

And in the year 1675, a stone was dug up in an orchard on Mr. Powell’s estate, near the church at Deerhurst, which was thus inscribed: “Odda Dux jussit hanc Aulam regiam construi atque dedicari in honorem S. Trinitatis pro Anima Germani sui Elfrici quæ de hoc loco assumpta est. Ealdredus vero Episcopus qui eandem dedicavit 11 id. Aprilis, XIV autem anno Regni S. Edwardi Regis Anglorum.”

If the ancient residence of the lords of Tewkesbury were thus appropriated to religious uses by those pious noblemen, it is evident that they or their successors shortly afterwards built here another castle—better calculated perhaps for the abode of potent chiefs in those perilous days than the former one. This castle stood on what was then called Holme Hill, a little to the south-west of the town, but no remains of it whatever are at present discernable.* We may be assured that it was an early structure, as its name, Holme, denotes it to have been of Saxon origin. Leland says that the Clares Earls of Gloucester generally resided there, that part of the building had been standing within the recollection of persons living in his time, and that the bottoms of the walls were visible when he wrote his Itinerary. At this castle, Robert the first Earl of Gloucester invited the abbot and monks of the adjoining monastery every Sunday in the year to dinner; and by its destruction these ecclesiastics lost not only a place of frequent and hospitable entertainment, but the certain influence of

* Holme Castle stood near the top of a field, now called the Vineyard, where recently a considerable excavation remained, which had evidently been made for the purpose of procuring the stone which had been used in the foundations of the building—probably for repairing the adjoining turn-pike-road. Upon levelling some of the hillocks, in 1826, a quantity of rubbish and mortar, many painted bricks, and also large solid masses of common bricks and stones, were discovered; the appearance of the latter clearly demonstrating that the edifice, of which they formed a part, had been destroyed by fire. The Vineyard has by some been considered the spot where Queen Margaret entrenched her army in 1471: it was perhaps the scene of some blood-shed towards the close of the battle; but independently of the fact that the queen's encampment was at Gupshill, the form and extent of the mounds on the two lower sides of the field, which had principally been the means of giving rise to the idea, would rather have led to the conclusion that they were the sites of the boundary walls of the castle. In corroboration of this notion, when one of those shelving banks was cut through, in 1821, for the purpose of making a drain, hewn stones of a great size and thickness, strongly cemented with lime, sand and gravel, were found at the depth of five or six feet from the surface. Before the field was levelled, one might indeed, in imagination, have traced out in the Vineyard not only the ground plan of Holme Castle, but also the extent of the whole area included within its bounds, as well as the situation of many subordinate members of that once celebrated baronial residence.

powerful patrons whenever the temporal concerns of their church required it. The building was burnt down during the contentions for the crown between Stephen and Maud : it was afterwards rebuilt, and is supposed to have been finally rased about the period of the attainder of Hugh le Despencer the second, early in the thirteenth century. As the great lords of this place were then deprived of a residence here, suited to their rank, it may be conjectured that they were thenceforward guests of the abbot, whenever they came to visit their extensive possessions at Tewkesbury.

The early periods of the history of this town are very barren of interesting events : some considerable ravages are said to have been committed here by the Danes, but what the spoliation was is not particularly noticed. It is known that, about 877, this people plundered the country about Gloucester ; and in the following year encamped at Cirencester, and there continued during the winter. It is therefore probable that Tewkesbury came in for its share of misfortune and privation about the same time.

The state of the borough in the reign of King Edward the Confessor, and at the Norman conquest, may be in some degree ascertained from the extracts which will be given in a subsequent portion of this work from Domesday-Book.

Most of our early historians assert, that it was in the immediate neighbourhood of Tewkesbury that the personal conflict took place, in the year 1016, between Edmund Ironside and Canute the Great, which terminated the contest for sovereign power which had for a long while desolated the kingdom.* The princes, with their armies, having approached each other on the banks of the Severn, Edmund posted his men on the western shore, and Canute on the eastern ; when the former, wishing to spare the further effusion of his subjects' blood, offered his enemy to decide their quarrel by single combat.

* Leland's *Collectanea*, vol. 3, p. 354.—Holinshed, vol. 1, p. 255.—Milton's *Britain*, b. 4, p. 265.—Speed's *Hist.* p. 371, 1056.—Gibson's *Camden*, v. 1, p. 272.—Strutt's *Saxon Chron.* v. 2, p. 103.

The royal Dane accepted the challenge; and after a long and ineffectual struggle for the mastery, in the presence of their respective armies, the princes became weary, and at length entered into a pacific arrangement to divide the kingdom between them.* It was agreed that Canute should reign in the north, and Edmund in the south; after which, the combatants exchanged their arms and garments, and dispersed their followers.†

* In the Chronicle of Ethelred, abbot of Rievesby, the following particular account of this singular engagement is given:—"Both kings meeting with their armies on the banks of the Severn, Edmund sat down with his men on the western shore, Canute on the eastern. But there is an island situate in the midst of the river, which is called *Holenghege*, to which the kings being carried, protected with the most splendid arms, enter upon the single combat, both nations beholding. But when the strength of their spears failed, both from the valour of those who pushed them, as well as the resistance of their very strong shields, they assail each other hand to hand with drawn swords. They fought stoutly, Valour assisting Edmund; Fortune, Canute: the swords rattle around their helmet-protected heads; sparks fly out from the collision of the metals; but when anger, as is usual from the very emotion of war, inflamed the more robust bosom of Edmund; he becomes more powerful by his blood warming him; he raises his right hand, brandishes his sword, and iterates his blows upon the head of his enemy with such vehemence, that he seemed to the spectators not so much to strike as to thunder. For the fire bursting out between the sword and helmet at every blow, seemed not only to appear, but even to blaze. Canute however perceiving by his shorter breathing that his strength was failing him, thought of addressing the youth upon the subject of peace; but, as he was crafty, fearing lest, if his failure should appear to the youth, he would not hear even a word of peace, collecting all his spirit within him, and straining what strength he had left to the utmost, with admirable valour he rushes in one attack upon Edmund; and by and by withdrawing himself a little, begs the young man to halt a moment, and give a hearing to what he wished to say. Edmund assents, and Canute agrees concerning the division of the kingdom."

† Some historians say, that when the two armies met at Deerhurst, and Edmund challenged Canute to single combat, the latter refused, alleging, "that though he was superior to his rival in mental powers, yet he distrusted his own little body against a man of so great a bulk; but added, that, under present circumstances, it might be prudent for both to lay aside their resentments, and divide the kingdom." A reference to the principal officers of each army was the consequence; and after a short conference, a peace was concluded by a partition of the kingdom.—*William of Malm.* p. 40. *Hoveden Annal.* p. 250. *Huntingdon Hist.* &c.

The scene of this memorable battle is said to have been on a little island in the Severn, called Oalnig, Olney, or the Isle of Eight, about two miles below Tewkesbury. At present however there is no place either bearing that name, or correctly answering to the description; but it is traditionally said, and appearances would fully countenance such an idea, that there was formerly a small island, a little below the church at Deerhurst, at the bend of the stream, now called by mariners "The Tail of Deerhurst." Here, if at any place in this part of the Severn, must the rival princes have contended for the sovereignty of England. In dry seasons, a broad solid bed of rocky clay may be seen far above the water, which, united to the sudden shifting of the sand banks near it, renders the navigation of the river at this point more difficult and dangerous than in any other part of the Severn. On the spot which is pointed out as the foundations of this island, the crews of perhaps half a dozen trading barges at once, (when they are prevented passing "Deerhurst Tail" for want of sufficient water,) now sometimes hold what they term a "wake"—in imitation of the village wakes in the neighbourhood—and thus wile away the tedious hours occasioned by the interruption in their voyage.

There is an island, near Gloucester, which is called Alney, and hence some writers have considered that to have been the scene of the interesting engagement between Edmund and Canute; but all historians agree in asserting that the truce was completed at Deerhurst.

Tewkesbury suffered greatly in the wars in the early part of the reign of Henry the first; and during the disputes between Stephen and his unyielding barons, in the year 1140, Waleran de Beaumont, son of the Earl of Leicester, ransacked the town, and took away with him spoils to an immense amount, though he left untouched every species of property belonging either to the abbey or the members thereof.*

* The city of Worcester was, on the 7th of Nov. 1189, plundered and set on fire by Milo, Earl of Hereford, one of the most zealous adherents of the Empress Maud, who came from Gloucester with a great army of horse

Tewkesbury was made a free burgh by Robert and William successive Earls of Gloucester; and the liberties which were by them granted to the inhabitants, afford a tolerable picture of the constitution of these burghs under feudal lords.*

John Earl of Cornwall, brother of King Richard the first, and who was himself afterwards King of England, resided frequently at his castle at Tewkesbury: he repaired some of the roads and bridges, and was a considerable benefactor to the place.

During the time the manor was vested in the family of the Clares Earls of Gloucester, the privileges of the inhabitants were considerably augmented:† those great and powerful barons were generally resident upon their estate at this place, and we are told that Richard de Clare the second entertained sixty knights here during the Christmas festivities while he possessed the manor. When the lordship of Tewkesbury became separated from the honour of Gloucester, King Edward the

and foot. Waleran, the new earl of Worcester, on the 30th of the same month, took possession of the castle of Worcester, which had held out for Stephen, and marching out at the head of the Worcester men, made some severe reprisals upon the tenants and adherents of Milo; he took Sudeley Castle in Gloucestershire, and ravaged the whole country round it, returning with many prisoners, droves of cattle, and store of goods, to Worcester. In 1140, king Stephen arrived in Worcester, and while he marched from thence to reduce Hereford, Waleran fell upon Tewkesbury, with a great multitude of armed men, and took immense spoils, sparing only the goods of the church of Tewkesbury, being overcome with the importunity of the abbot and friars: he burnt the magnificent seat of Robert Earl of Gloucester, and all things round about, and pillaged or laid in ashes all the houses till he approached the city of Gloucester, within the distance of a mile. On the return of the earl with his army to Worcester, he protested with an inhuman glee of triumph, that "neither in Normandy nor in England had he ever burnt more villages and houses in one excursion."—*Contin. Flor. Wig.*

* For this charter of liberties, see Appendix, No. 1.

† A charter of Gilbert de Clare, Earl of Gloucester and Hertford, dated at Rothwell, in the county of Northampton, 26th April, in the year of grace 1314, and in the 7th year of King Edward the second, recites the grants by William and Robert heretofore Earls of Gloucester his progenitors, and extends the liberties by them given to the burgesses of Tewkesbury. This charter of Gilbert is recited at length in that of king Edward the third.

third, on the 12th of August, in the eleventh year of his reign, confirmed all the grants which had been made to the burgesses of Tewkesbury by a long and splendid race of patrons, and further extended their privileges.* There is an exemplification of the last charter, dated 20th Jan. 15 Edw. III.

King Richard the second, on the 10th of Dec. in the eighth year of his reign, confirmed all the charters which had been previously granted to the inhabitants of the borough.†

About the beginning of the fifteenth century, 'Tewkesbury is supposed to have made considerable progress in population and importance, but the records of those times afford us little information respecting the condition of the people in places of this description, either as to their numbers, the state of their trade, or their advancement in civilization. From a petition, which was sent by the Commons to the House of Lords, "at the instance and especial request of the faithful liege people of our sovereign lord the king, the bailiffs, burgesses and commonalty of the town of Tewkesbury," in the eighth year of the reign of Henry the sixth, it is evident that the inhabitants of this borough at that time carried on a considerable commerce with Bristol, and other ports on the river Severn. The petition, after stating that the people of Tewkesbury have been accustomed to ship "all manner of merchandize" down the Severn to Bristol, &c. complains of the disorderly conduct of the people of the Forest of Dean, who, it is said, come "with great riot and strength, in manner of war, as enemies of a strange country," and stop and plunder their barges "of wheat, malt and flour, and other divers goods," as they pass by the coasts near the Forest; and that the marauders sometimes not only despoil them of their merchandize, but destroy their vessels, and even cast the crews overboard and drown them.‡

* For King Edward's charter, see Appendix, No. 2.

† These charters were also further confirmed 4 Henry IV.—4 Henry VI.—20 Henry VI. (with a grant of two fairs.)—20 Henry VII.—2 Edward VI.—1 and 2 Phil. and Mary.—and 2 Eliz.

‡ This document, which is highly interesting, is given at length in the Appendix, No. 3.

CHAPTER III.

BATTLE OF TEWKESBURY.

KING Edward the fourth having sent his unfortunate rival, Henry the sixth, a prisoner to the tower, and slain the powerful Earl of Warwick and routed his army in the great battle at Barnet, was left at liberty to watch the movements of the courageous Margaret, consort of King Henry, who, with her son, a young prince of great promise, supported by a small body of French troops, landed at Weymouth on the same day on which the dreadful slaughter of her friends at Barnet took place.

When the queen received intelligence of her husband's captivity, and of the defeat and death of Warwick, her accustomed intrepidity of spirit for a while appeared to forsake her; and she immediately foresaw all the dismal consequences of these calamities. Despair at first induced her to seek sanctuary in the abbey of Beaulieu, in Hampshire; but finding herself encouraged and supported by Edmund Duke of Somerset, Courtenay Earl of Devonshire, Tudor Earl of Pembroke, Viscount Beaumont, Lord Wenlock, Lord John Beaufort, Sir Hugh Courtenay, and other men of rank, she determined to defend to the utmost the ruins of her fallen fortunes. Having assembled these noblemen and gentlemen, with their followers, at Exeter, she advanced through the counties of Devon and Somerset, until she reached Bristol, and every day added to the number of her troops—the report of which induced Edward to hasten from London to arrest her progress.

On Thursday the second of May, 1471, Queen Margaret proceeded on her march to Berkeley, and from thence to Gloucester, with the intention of passing through that city into Wales, in order to join the army which the Earl of Pembroke had been raising for her support in the principality. But King Edward, being apprised of her object, had sent to Richard Beauchamp, eldest son of Lord Beauchamp of Powick, to whom he had recently given the custody of the city and castle of Gloucester, commanding him not to suffer the queen to enter that city; and promising, if she attempted to assail it, that he would come with his whole army instantly to its relief. Margaret, on finding that preparations had been made to prevent her admittance, at first threatened to assault the gates and walls of the city; but, from the near approach of the enemy, she subsequently thought it would be imprudent to waste her strength and time in wreaking her vengeance upon the inhabitants, and therefore hastened with the utmost expedition to Tewkesbury, with the intention there of crossing the Severn.

The queen arrived with her army at Tewkesbury about four o'clock in the afternoon of Friday, having travelled during that day and the preceding night upwards of "six and thirty miles," with very little refreshment, so that both men and horses were nearly exhausted. Here therefore she was compelled to make a stand, and await the arrival of her enemies, who were so near as to render the crossing of the river impracticable, without exposing her whole army to destruction. A council of war was immediately held, at which it was determined, according to Holinshed, to entrench themselves "in a close, even hard at the town's end, having the town and abbey at their backs; and directly before them, and upon each side of them, they were defended with cumbersome lanes, deep ditches, and many hedges, besides hills and dales, so as the place seemed as noisome as might be to approach unto." The queen hoped that the Earl of Pembroke would be able to come to her assistance before the king compelled her to an engagement; as it was well understood that he was rapidly marching to her relief.

King Edward reached the camp at Sodbury Hill on the same day on which Margaret quitted Bristol; and having, as before noticed, prevented her entrance into Gloucester, he, very early on the following morning, marched his army, consisting of three thousand infantry and a large body of cavalry, over the hills to "a village called Chiltenham," at which he arrived in the afternoon, having had a long and tedious march of thirty miles in a very hot day. At Cheltenham he received intelligence that the queen's army was encamped at Tewkesbury, and after refreshing himself and his troops, he marched forward, and lodged that night in a field about three miles from Margaret's encampment.*

At day-light the next morning, on Saturday the fourth of May, Edward drew towards his enemies in three lines; the first of which was commanded by his victorious brother Richard Duke of Gloucester;† the centre by himself and the Duke of Clarence; and the rear by the Marquis of Dorset and Lord Hastings. He then displayed his banners, blew his trumpets, and marched directly upon his antagonists.

The Duke of Somerset had arranged the queen's army also in three lines, behind those entrenchments which they had hastily cast up: he himself, supported by his brother Lord John Beaufort, took his station in the front line, that he might withstand the first assault of the enemy, which he expected to be furiously made; the second line was conducted by Lord Wenlock and the Lord Prior of St. John's, under the Prince of Wales, who was considered commander in chief; and the Earl of Devonshire headed the line reserved for the rear.

Holinshed says, that the queen's camp was "right hard to be assailed, by reason of the deep ditches, hedges, trees, bushes, and cumbersome lanes, wherewith the same was fenced, both in

* As the road from Cheltenham to Tewkesbury then ran through Elmstone Hardwick and Tredington, we may venture to suppose that at one of those places King Edward and his army rested for the night.

† The duke, who was only in his nineteenth year, on this occasion wore the identical suit of bright polished steel armour in which, fourteen years afterwards, he was slain at Bosworth.

front and on the sides, so as the king could not well approach them to any advantage. Nevertheless, he being well furnished with artillery, the same was aptly lodged to annoy the enemy, that they received great damage thereby; and the Duke of Gloucester, who lacked no policy, galled them grievously with the shot of arrows: and they rewarded their adversaries home again with like payment, both with shot of arrows and artillery, although they had not the like plenty of guns as the king had."

The experienced Edward soon observed that Somerset had left several openings in his entrenchments, through which he intended, if a favourable opportunity should occur, to sally forth upon the assailants; and being aware of the impetuosity of that nobleman, he ordered his brother Gloucester to make a furious attack upon the enemy's quarters, and, after a short attempt, to give way a little, and then retreat with precipitation, till he should have inveigled Somerset from his entrenchments; and as soon as he should perceive that he had enticed him to a proper distance, then suddenly to halt, face about, and return to the charge with redoubled vigour. Richard joyfully embraced this idea, "because," as one of our historians observes, "there was something of treachery in the execution of it;" and having entrapped his adversary into the snare thus artfully laid for him, by enticing him across a lane into an open field, he suddenly ordered his troops to halt, recover their ranks, and face about: this command, considering it a presage of victory, they obeyed with alacrity, and stood firm to receive their eager pursuers, who, when too late, began to suspect the stratagem of their enemies. They had proceeded too far, however, to be able to regain their former position, and were therefore compelled to make the best stand of which their perilous situation would admit; but Richard led on his men to the charge with determined bravery, and penetrated with ease the open files of his incautious adversaries, pursuing them into the very entrenchments with horrible slaughter.

In this successful affair, Gloucester was much assisted by the sudden arrival of two hundred spearmen, whom the king

had sent to guard the corner of a wood which ran down from the Park, about a quarter of a mile from the encampment, in order to prevent his army from being surprised by any ambush which might have been placed there by Somerset; and which detachment was ordered, should there be no ambuscade to demand its attention, to render assistance to the main body in any other manner that the events of the battle might seem to require.

Somerset, thrown off his guard by the unexpected artifice of his enemies, became almost mad with passion, and riding furiously up to Lord Wenlock, who had not advanced to the support of the first line, according to his express orders, after reviling him and calling him traitor, he cleft him to the earth with a stroke of his battle axe. The Lancastrian army, astonished at this act of rashness and folly, and being closely pursued by the king's troops, who now, with Gloucester at their head, had entered their entrenchments, began to give way on every side, and the rout quickly became general.

The queen's forces endeavoured to save themselves by flight, but their victorious opponents followed up their successes with such vigour, that considerable numbers were cut to pieces in the pursuit; and the carnage was terrible "at a mill in the meadow fast by the town," where great numbers of them were drowned in endeavouring to escape from their reckless pursuers.*

On this eventful day, Margaret, aided by the gallantry of her son, the ardour of Somerset, and the devoted attachment of a considerable army, might probably have been hailed as the victor, had the judgment of her commanders been equal to their valour; but the inexperience of the prince, and the impetuosity of the duke, threw the advantage of the battle into the scale of her more cautious and able adversaries.

* Sir John Harley, who was sheriff of Shropshire in 1482, was knighted by King Edward in the Gastons, immediately after the battle, as a reward for the bravery he displayed in the conflict.—George Neville, second Lord Abergavenny, being with his father at the battle of Tewkesbury, was then knighted by Edward, at Barton, near Tewkesbury.—*Coll. Peer.*

It is computed, by some historians, that the Lancastrians lost four thousand men in this battle, but others estimate the number only at three thousand, and some much lower. Trussell, who is considered by Malone to be correct in such matters, states the exact number to be three thousand and thirty-two.

In this engagement fell the following distinguished individuals: Thomas Courtenay Earl of Devonshire, Lord John Beaufort, Lord Wenlock, Sir Edmund Havarde, Sir William Wittingham, Sir John Delves, Sir John Locknore, Sir William Vauxe, Sir William Lermouth, Sir John Urmon, Sir Thomas Seymour, Sir William Rouse, Henry Barrow, esq. William Fielding, esq. and Thomas Harvey, esq.*

Drayton, in his "Miseries of Queen Margaret," says, in reference to the battle of Tewkesbury—

- " Ill was her choice of this uneven ground,
- " Lackless the place, unlucky was the hour,
- " The heavens upon her so extremely frown'd,
- " As on her head their plagues at once to pour ;
- " As in a deluge here her hopes were drown'd,
- " Here sees she death her faithful friends devour ;
- " The earth is fill'd with groans, the air with cries,
- " Horror on each side doth enclose her eyes.
- " Never did death so terrible appear,
- " Since first their arms the English learnt to wield ;
- " Who would see slaughter, might behold it here
- " In the true shape, upon this fatal field ;
- " In vain was valour, and in vain was fear,
- " In vain to fight, in vain it was to yield,
- " In vain to fly ; for destiny discust,
- " By their own hands, or others, die they must."

The Duke of Somerset escaped the carnage, and accompanied by the great prior of St. John's, and fourteen other officers, cut his way bravely through some of the enemy's parties, and sought sanctuary in the abbey church. Edward pursued them thither, but was stopped at the porch by the priest, who, presenting the host, would not suffer him to defile

* See Appendix, No. 4.

the church with blood ; nor would he permit the king to enter until he had promised a pardon to the refugees.

The Prince of Wales, being taken prisoner by Sir Richard Crofts, towards the close of the battle, was for some time secreted by him ; but after the termination of the contest, proclamation was made, in the king's name, that whoever would produce the prince, either alive or dead, should have an annuity of one hundred pounds, and that the prince's life should be spared if he were brought forth unhurt. Sir Richard, confiding in the royal promise that clemency should be shewn to the youthful captive, hesitated not to bring him into the presence of the conquering Edward, who, in the most haughty manner, demanded of him how he dared to invade his dominions ? The noble-minded prince fearlessly answered, that he came to recover his father's liberty, and the crown which Edward had usurped. A person of maturer judgment, in the power of a relentless foe, would not perhaps have made a reply so imprudent and offensive, though a magnanimous conqueror should have excused it on account of the youth and the peculiar situation of the prince : Edward, however, was so incensed at this ill-timed rebuke, that, as some historians say, he pushed him violently from him with his hand ; but, according to the generally received opinion, the king struck him on the face with his gauntlet so furiously, that the blood gushed out of his mouth. This behaviour on the part of the king served as a signal for the Dukes of Gloucester and Clarence, the Marquis of Dorset and Lord Hastings, who brutally fell upon him and pierced him to death with their daggers.*

"This unhappy bud of royalty," says Hutton, "son of a most unhappy father, was thus cut off from the ancient stem of the Plantagenets, in the very spring of existence—a fine figure of eighteen ; and had no greater funeral honours paid him, than to be flung into a large hole, dug in the monastery of

* Tradition has uniformly pointed out a house in the Church-Street, standing opposite the market-place, now the property and in the occupation of Mr. John Moore, auctioneer, as the scene of this inhuman tragedy.

Tewkesbury, there to ferment and mingle with the bodies of those common soldiers who had been killed in the field of battle."

Shakspeare gives the following fine description of this unfortunate scion of royalty :—

" A sweeter and a lovelier gentleman,—
 " Framed in the prodigality of nature,
 " Young, valiant, wise, and no doubt right royal,—
 " The spacious world cannot again afford."

Some historians have considered that the Duke of Gloucester was the contriver of the plan, first to insult the Prince of Wales, and afterwards to murder him if he should in any way attempt to resent his injuries: the subsequent conduct of this "ambitious York" appears to give great plausibility to the idea, though the general odium which he incurred after his death might perhaps have inclined the nation to aggravate the number of his crimes without adequate authority. Buck,* in his life of Richard the Third; Horace Walpole,† in his *Historic Doubts*; Dr. Masters,‡ in the second volume of the

* Buck, who was certainly too much of a partizan, affirms that the death of the Prince of Wales was occasioned by his own insolence; and says, "I have seen, in a faithful manuscript chronicle of those times, (Chron. in quarto MS. apud Dom. Reg. Rob. Cotton,) that the Duke of Gloucester only, of all the great persons, stood still and drew not his sword." But in the preface to Spelman and Leman's *History of the Civil Wars between York and Lancaster*, it is observed, "if Richard was then in presence, and undoubtedly he was, we can hardly suppose that he would stand by, as an unconcerned spectator, while all the rest were dabbling with their daggers; for that the young prince was murdered, there can be no doubt."—Carte says it was Dorset and Hastings only who dispatched Prince Edward.

† Mr. Walpole was the first of modern writers who attempted wholly to rescue the memory of Richard from the obloquy which had been thrown upon it by Lancastrian writers: he is not contented with palliating the crimes with which he has been charged, but labours earnestly to vindicate him alike from every deformity both of body and mind.

‡ Dr. Masters, in endeavouring to extenuate Richard's conduct respecting this murder, says, "if however the Duke of Gloucester had any share in this transaction, he could be but one among many; and therefore the whole of the guilt ought by no means to be placed to his account."

Archæologia; and Mr. Hutton,* in his *Battle of Bosworth Field*, may be ranked among the most distinguished of those who have endeavoured to extenuate the imputed guilt of Gloucester with respect to this transaction.

Mr. Sharon Turner† doubts the truth of the murder of the Prince of Wales in cold blood after the battle, but says, he was taken whilst flying towards the town, and there slain. He notices, that the Harleian MS. "not only gives no sanction to the popular tale of Edward's calling the prince before him, rebuking him for his opposition, and striking him for his answer, and of Gloucester and Clarence stabbing him; but declares, that he was slain in the field." He further observes, that Bernard Andreas, who wrote the life of Henry the seventh, in 1509, about thirty-eight years after the battle, and which is now in manuscript, though he abuses Richard

* Mr. Hutton does not, like Mr. Walpole, attempt entirely to exculpate Richard; he thinks his "crimes originated from ambition, and took their complexion from the boldness of his character," and seems half disposed to apologise for his delinquencies on the plea of necessity:

"So spoke the fiend, and with necessity,

"The tyrant's plea, excused his devilish deeds."—*Milton*.

Respecting the murder of the Prince of Wales at Tewkesbury, he observes, that as Clarence, Dorset and Hastings were all Richard's seniors, "it cannot be supposed a lad of eighteen would first draw his dagger, in the presence of his superiors in age, who had always controuled him." This is however but a weak defence. Of his general character he truly asserts, that, "Richard the third, of all the English monarchs, bears the greatest contrariety of character. Some few have conferred upon him almost angelic excellence, have clouded his errors, and blazoned every virtue that could adorn a man. Others present him in the blackest dye; his thoughts were evil, and that continually, and his actions diabolical; the most degraded mind inhabited the most deformed body." After endeavouring to gloss over the turpitude of Richard's character, by comparing him with others who have been guilty of equal or perhaps of greater crimes than himself, Mr. Hutton concludes, "He was a faithful servant, a brave soldier, an admirable legislator; yet one of the vilest of men. Perhaps history cannot produce another instance of such an assemblage of virtues and defects in one person. In him were united, as many excellencies as would furnish several shining characters, and as many faults as would damn a troop."

† *History of England during the Middle Ages*, v. 3, p. 335.

for his other crimes, yet does not hint that he had stabbed the son of Margaret; his words implying that the prince fell in the battle.

These authorities are far from conclusive, and their weight is by no means sufficient to induce us to discredit historians who form a contrary opinion. A document indeed which has just been brought to light, entitled, "Account of King Edward the Fourth's second Invasion of England,"* drawn up by one of his followers and transmitted to the Duke of Burgundy a few days after the death of the prince, might be adduced as a strong argument against Mr. Turner's supposition. This description of the battle was confessedly written by a Yorkist, and one who probably witnessed the discomfiture of the Lancastrians at Tewkesbury, but he does not, in the body of his narrative, name the Prince of Wales among the other persons who are there said to have been slain, and undoubtedly he would not have omitted this the most important personage, if he had been killed in the fight. It is true that, at the foot of his communication, he places Prince Edward among those slain *at* Tewkesbury. This greatly tends to prove, that he did not fall in the field, and that the writer did not choose to tell in what manner he came by his death. Writers of different parties at the period which immediately followed the struggles for power between the houses of York and Lancaster—like too many in more recent times,—were so influenced by their fears and prejudices, that it is difficult now to decide who is most entitled to credit; and it is hopeless to expect that we shall ever be able satisfactorily to determine what degree of reliance can be placed on many of the most interesting and important events recorded in English history.

After the victory, the king went to the abbey church, and before the high altar returned thanks to God for the success of his army.

On the second day after that on which the Duke of Somerset and his friends had fled to sanctuary, Edward,

* See Appendix, No. 5.

indulging in those hateful passions which are uniformly called into action in times of civil commotion, and disregarding alike his former solemn promises of pardon and the anathemas of the abbot and monks, commanded Somerset and his unfortunate companions to be brought before the Duke of Gloucester, who sat as constable of England, assisted by the Duke of Norfolk, who officiated as marshal, "in the midst of the town," before whom they were summarily arraigned and condemned to suffer death. And on Monday, the 6th of May, Edmund Beaufort Duke of Somerset, John Lonstrother the Lord Prior of St. John's of Jerusalem, Sir Humphrey Audley, Sir Gervis Clifton, Sir William Carey, Sir Henry Rouse, Sir Thomas Tresham, Sir William Newborough, Sir Henry Courtenay, Mr. John Delves, Mr. John Gower, Mr. Walter Courtenay, and eight other gentlemen of rank, were beheaded in the market-place, on a scaffold erected there for the purpose.

On the same day on which these friends of the queen suffered an ignominious death for their attachment to her interests, Margaret was found in a poor religious house* in the neighbourhood, and brought before the king, who ordered her to be conveyed to London and confined in the tower, but to be kept apart from her husband; and there she remained until she was ransomed by her father for fifty thousand crowns.

King Henry expired during his confinement, a few weeks after the battle of Tewkesbury; but whether he died a natural or violent death is questionable.

When the Earl of Pembroke heard of the disastrous overthrow of Margaret's army, he disbanded his troops, and fled with his young nephew, Henry Earl of Richmond, into France, and thus preserved the only surviving branch of the Lancastrian line; who, at a subsequent period, vanquished Richard

* Some accounts say, that the queen was discovered in a waggon or chariot, where she had concealed herself towards the close of the fight; and that the full tide of sorrow which had flowed in upon her, by the loss of the battle and the yet uncertain fate of her son, had almost bereft her of reason and of life.

at Bosworth Field, and ascended the throne of these realms by the name of Henry the seventh.*

There are few local memorials respecting the important engagement between the "rival roses" at Tewkesbury; and no historian or narrator of the transaction has enabled us to determine at what point the contest commenced; but we shall endeavour to add such observations to the preceding account of this sanguinary conflict, as may possibly furnish some idea of the positions and movements of the contending armies.

It has been said that the Lancastrians encamped in the Vineyard, a sloping meadow which faces the south side of the abbey church, the site of Holme Castle; but it cannot reasonably be imagined that Margaret's generals would have entrenched themselves in so unfavourable a situation, while much more eligible positions readily presented themselves. In the Vineyard they would have had a long ridge of high land in front of their outworks, with the river Swilgate almost close behind them; and we must therefore believe that the Duke of Somerset was much more deficient in the art of war than he has ever been represented, before we can suppose he would have selected a position so objectionable.

History, tradition and probability unite in leading us to the conclusion, that the queen's army entrenched themselves on the summit of a field now called the Home Ground, on the estate of Mrs. Wintle, at Gupshill, one mile from Tewkesbury, on the eastern side of the road leading to Gloucester and

* It is said, on the authority of Stebbing, that when this monarch, in whom were united the families of York and Lancaster, came to the throne, he granted the parochial church of Towton, to the monastery of Tewkesbury, to purchase masses for the souls of the Duke of Somerset, his brother John, and others, who lost their lives in the depopulating contest of the roses.—Leland says, that King Richard the third began a chapel over the bodies of the Yorkists slain at the battle of Towton, in Yorkshire; and Buck, in his life of that monarch, asserts, "he built a church or chapel in Towton, in Gloucestershire, a monument of his thankfulness to Almighty God, for the happy and great victory his brother had upon the partizans of the family of Lancaster." Stebbing may be correct; but Buck is at least in error in placing Towton in Gloucestershire.

Cheltenham ; and that the king's army, as he advanced upon his antagonist by the way of Tredington and Rudgeway, over Prest bridge, occupied the sloping ground to the southward, called the Red Piece, on the estate of Edward Ransford, esq.

Holinshed's observation, that the queen's entrenchment was "even hard at the town's end," would appear somewhat opposed to the notion of its having been at Gupshill : this place however is not more than half a mile in a direct line from the outskirts of the town. The Lancastrians would here also have had, as the historian observes, "the town and abbey at their backs ;" and if they had chosen any other site in its vicinity, it could not with so much appearance of truth have been said, that their camp was "right hard to be assailed, by reason of the deep ditches, hedges, trees, bushes, and cumbersome lanes, wherewith the same was fenced, both in the front and on the sides."

At Gupshill there is also a small circular entrenchment, surrounded with a ditch and hedge, and shaded with lofty elms, which has immemorially been denominated "Margaret's Camp." It might have been within the limits of this little mound, that the heroic Margaret, previously to the commencement of the fatal battle, harangued the brave troops with which she was surrounded. The intrepid spirit of the queen is admirably portrayed in the address, which Shakspeare has put into her mouth, in the third part of King Henry the sixth, beginning thus—

"Great lords, wise men ne'er sit and wail their loss,

"But chearly seek how to redress their harms :"

and, after urging every motive that could be supposed most to animate her followers, concludes with a reflection not less apposite than beautiful—

"Why, courage then ! what cannot be avoided,

"'Twere childish weakness to lament, or fear."

There are now some considerable ridges and long hollow places, in various directions, near to this inclosure ; and although an enthusiastic enquirer might readily imagine he could discover in them vestiges of military entrenchments,—

(and more slender grounds have sometimes served for an hypothesis in similar cases,)—yet we will not positively assert that these inequalities in the surface of the field add any considerable weight to our conjectures.

Immediately in front of this small inclosure ran the ancient British trackway, in its route from Lincoln's Green to the ford across Swilgate: this might have separated the two armies, and, if so, was "the lane" which Somerset crossed when his opponents inveigled him out of his strong hold. A few paces to the eastward of this station ran another road, which formerly led from Cheltenham into Tewkesbury. No situation on that side of the town could perhaps have been so properly chosen, though it did not merit the appellation of a "wonderful strong position." Exclusive of the artificial means of defence which it presented, and which could readily be increased, there is an advantageous descent from the camp on three sides, forming a kind of head-land to the ridge of high ground which extends in its rear almost to the town. Unless it be admitted that this was Margaret's station, Holinshed can scarcely be considered accurate when he says, that Gloucester won the hedge and ditch, entered the close, and drove the Lancastrian troops "up towards the hill from whence they descended."

After the Duke of Gloucester had entered the queen's entrenchments, we are informed that "some fled into the park, others into the meadow there at hand, some into the lanes, and some hid themselves in ditches," and that the rout and destruction of the Lancastrians became general. Great slaughter may at that time have taken place in the Gastons,—a large field which then bore its present name, for Leland terms this conflict "the battle of the Gastons:" it is now divided into several inclosures, but was then probably open, and comprised the three meadows on the eastern and the five on the western side of the present turnpike-road, extending from Holme Hill to Gupshill.

Those who fled towards the park and the meadow, were perhaps overtaken and cut to pieces in a field which has thence been called "the Bloody Meadow"—a long slip of land,

with shelving sides, lying to the westward of the turnpike-road, beyond the Windmill Hill, and within a few hundred yards of the house of industry. This "historic field" forms a portion of the fine estate of the Rev. Joseph Shapland; and oral testimony still cherishes the rude idea—(as it does with respect to many other places similarly entitled to remembrance by the common people)—that the blood of the vanquished ran down the centre of it in torrents!

The mill, mentioned by Holinshed, at which so much carnage took place, was undoubtedly the abbey mills: thus far probably the poor fugitives, who sought a retreat in the town, had proceeded, when a party of the victors overtook or by another route met them, and induced them in despair to fly into the Severn Ham, where those who escaped drowning were hewn down and slaughtered without remorse.

It seems to have been a great oversight in Margaret's generals, when they found it unsafe to cross the Severn, through the sudden approach of Edward's army, that they did not station themselves at the Mythe, on the opposite side of the town,—a situation so admirably adapted to their exigencies. Here they would have enjoyed a most commanding and highly advantageous position, and, protected by the Severn and the Avon, might for a while have defied every attack which it was in the power of their foes to make; and if they could have reposed here until the Welch forces, under the Earl of Pembroke, and their faithful adherents from Lancashire and Cheshire, had united with them—some of whom were nearly within view of the disastrous field at the termination of the battle—it is by no means improbable that the issue of the campaign would have been very different.

CHAPTER IV.

HISTORICAL OCCURRENCES FROM THE REIGN OF EDWARD THE FOURTH TO THAT OF CHARLES THE FIRST.



THE Lady Mary, eldest daughter of King Henry the eighth, and afterwards Queen of England, appears to have spent her Christmas at Tewkesbury in 1525. The following letter from the council for her household to Cardinal Wolsey, (preserved in the British Museum, and recently published by Mr. Ellis, in his interesting and highly valuable work, "Original Letters illustrative of English History,") reminds us of "the long train of sports and merriment which formerly made Christmas so cheerful to our ancestors:"—

"Please it youre Grace, for the great repaire of straungers supposed unto the Prynceesse honorable householde this solemne fest of Cristmas, We humbly beseche the same to let us knowe youre gracious pleasure concernyng aswell a ship of silver for the almes disshe requysite for her high estate, and spice plats, as also for trumpetts and a rebek to be sent, and whither we shall appoynte any Lord of Mysrule* for the said

* "In the feaste of Christmas there was in the king's house, wheresoever he was lodged, a Lord of Misrule, or master of merry disports: and the like had ye in the house of every nobleman of honor or good worship, were he spiritual or temporal. These Lordes, beginning their rule on Alhallow eve, continued the same till the morrow after the feast of the Purification, commonly called Candlemas-day: in all which space there were fine and subtle disguisyngs, maskes, and mummeries, with playing at cards for counters, nails, and points in every house, more for pastimes than for game."—*Stow*.

honorable householde, provide for enterluds, disgysyngs, or pleyes in the said fest, or for banket on twelf nyght. And in likewise whither the Pryncesse shall sende any newe yeres gifts to the Kinge, the Quene, your Grace, and the Frensshe quene, and of the value and devise of the same. Besechyng youre grace also to pardon oure busy and importunate suts to the same in suche behalf made. Thus oure right syngler good lorde We pray the holy Trynyte have you in his holy preservation. At Teoxbury the xxvij day of November.

“ Your humble orators,

“ John Exon.*

“ John Salter.

“ Jeilez Grevile.

“ G. Bromley.

“ Peter Burnell.

“ Thomas Audeley.

“ To the most reverent Father in God the Lord Cardinall
his good Grace.”†

In 1574, Queen Elizabeth, through the intercession of her favourite, the celebrated Robert Dudley, Earl of Leicester,†

• John Voysey, alias Herman, Bishop of Exeter, who had the government of the Lady Mary, Princess of Wales, was also her godfather, and was highly in favour with King Henry in the early part of his reign. In 1549 he surrendered his bishopric into the king's hands, and was succeeded by the celebrated Miles Coverdale, the translator of the bible into English. On the accession of Queen Mary, bishop Coverdale was deprived of the see, and Bishop Voysey restored to it, though he was upwards of a hundred years of age; but he died shortly afterwards at Exeter, and lies buried in the church of Sutton-Colfield, Warwickshire.—*Izacke's Exeter*.

† No record is preserved of the answer which was returned to this letter; but that the Cardinal allowed the sports of Christmas to be played is more than probable.—*Ellis's Letters*.

‡ The Earl of Leicester was son of John Duke of Northumberland, who was beheaded in 1553 for rebelling against Queen Mary. In 1563 he became high steward of the university of Cambridge, and in 1564 was chosen chancellor of Oxford. In the latter year he was created Baron of Denbigh and Earl of Leicester, with great solemnity at Westminster, the “maiden queen” herself helping to put on his ceremonial investments, he sitting upon his knees before her with great gravity. But she could not refrain from putting her hand in his neck, smilingly tickling him, the French ambassador and Sir James Melvil standing by. Then she turned and asked Sir James “how he liked him.”—(*Melvil's Mem.*) The name of the Earl of Leicester has recently become familiar with the public, from the character given of him by Sir Walter Scott, in his romance of “Kenilworth.”

granted a charter of incorporation to the borough. Why this nobleman should have interested himself so much in favour of Tewkesbury, we have not been able to learn. He had been, the year previous, presented with a silver cup, of the value of sixteen pounds, by the inhabitants of the town. When the charter was obtained, his lordship was complimented by the corporation with the office of high-steward; and a very fine fat ox was sent to him, at Kenilworth, as a present from the townspeople, who were rated fourteen pounds for the purchase of it. In 1582, the earl, whilst on a visit at Twynning, was also presented with a barrel of sack and two sugar loaves, which cost the borough £.3. 15s. 4d.*

For several years subsequent to this grant, there appear to have been repeated contentions between the queen's clerk of the market and the bailiffs of the borough, the latter claiming to be clerks by virtue of their charter, and treating the interference of the former clerk as an infringement upon the privileges of the body corporate. The queen's clerk came to Tewkesbury in 1577, and charged the bailiffs with neglect of duty in disobeying his precepts; he afterwards amerced them and the constables, which was attended with considerable expense to the town. In the next year, a process was sent to the sheriff of the county respecting these amercements, which had been respited; and the disputes were not adjusted till the following year, when the charter was pleaded in the exchequer, in order to get the fines discharged. It would appear that the claims of the old clerk were in part grounded on the non-enrolment of the charter, and that he no further molested the bailiffs in the exercise of their office as clerks of the market, after the enrolment was effected in 1579.

Queen Elizabeth, in 1580, at the same time that she granted customs by letters patent to the city of Gloucester, made Tewkesbury an independent port, for the "loading and discharging of ships with merchandize to and from the parts beyond the seas," which was thought at that time to be a

* Corporation Records.

privilege of no ordinary kind. Previously, all the ports on the Severn, from Berkeley to Tewkesbury, were considered as belonging to the port of Bristol, and were under the controul of the officers of customs for that city. The corporation of Bristol became jealous that so many places should participate with themselves in the advantages of a free trade, and presented a petition to her majesty's council, in 1582, praying for the repeal of the grants to Gloucester, Tewkesbury, &c. In this petition it is stated, that "your highness's said city of Bristol, and the trade of merchandize there, is impaired, the citizens impoverished, and a general dearth of corn, grain, butter and cheese, thereby arisen, as well within the same city, as also in the countries thereabouts." What effect this petition had upon her majesty's government is not recorded, but the Tewkesbury grant appears to have been soon afterwards either revoked, or its privileges considerably lessened.

On the 4th of July, 1580, the assizes for the county of Gloucester were held at Tewkesbury.*

In consequence of the threatened "perils of foreign invasion throughout the realm," in 1587, a lieutenant was appointed for Tewkesbury, suitable arms and accoutrements were procured, and the town put in a state of defence. From a minute in one of the corporation books, it appears, that "there was also imposed upon the town, besides the first charge for armour in common, which cost forty marks, and the second imposition upon particular persons which cost £.26, another charge to furnish all the forty-seven armours with swords, daggers, belts, and all other necessaries, and to buy fifteen bows, which cost £.28. Also afterwards, upon a new survey of musquets and armour, a greater supply being wanted, there was laid upon the town for that purpose £.4. 18s. and for provision of shot and powder to lie in store £.5. 8s. which was also gathered."

* The bailiffs, in their account with the chamberlain, charged thirty shillings for erecting scaffolding for the court, eleven shillings for wine given at the assizes, and thirteen shillings and four-pence for seneschal money, i. e. the steward's fee in holding courts leet.—*Corp. Records.*

A letter from Queen Elizabeth, dated Greenwich, 12th of May, 1588, was received by the bailiffs, requiring them, jointly with the mayor of the city of Gloucester, to furnish the expenses of "rigging up, manning, and setting forth," a ship of eighty tons, stored with victuals for three months, to join the naval armament then preparing to encounter the Spanish armada. In lieu of this composition, the inhabitants of Gloucester and Tewkesbury offered to furnish, at their own cost, a ship of seventy-five tons burthen and a pinnace of twenty-five tons, and to man it with their own people, which tender her majesty's government accepted. A dispute subsequently arose as to whether Richard Webb or John Nicolls should have the command of the said ship; but the privy council decided in favour of Webb, and directed that the city of Gloucester and borough of Tewkesbury should pay him the sum of £.300 for his services. The records of the corporation state that, on this occasion, Tewkesbury was charged with £.37. 2s. being the seventh part of the amount of the subsidy for the two places; but, by reason of "suits and troubles," further charges, amounting to £.19. 12s. were incurred; so that, for this service, the town furnished £.56. 14s.

When the Spanish armada was descried off the coast, in 1588, forty-seven men from Tewkesbury, who had been raised and equipped at the expence of the town, were hastily marched off to assist in opposing the expected invasion, and the inhabitants collected £.120 for their support. The borough also, in the same year, furnished nine men for the Portugal service, and provided them with arms and apparel. At the same time, the armour belonging to the town, which had long been kept at Winchcomb, by order of the lord lieutenant, was brought home.*

In 1589, the privy council commanded the bailiffs to provide 6 cwt. of powder and 125lb. of match, and to keep these

* It required £.6. 3s. to replace the armour which had been lost by negligence at Winchcomb, and twenty marks were laid out in the purchase of new armour.—*Corp. Rec.*

in readiness for one year, in expectation of an invasion. The costs of ammunition and arms amounted to £.46.* In the same year, the mariners belonging to the port were mustered by the justices.

In the following year, £.16 was imposed upon the town for the Irish service, but, upon a remonstrance being made, it was reduced one-half, in consequence of the large amount previously collected for the Portugal service.

When Queen Elizabeth, in Sept. 1592, made her celebrated progress to Sudeley Castle, the inhabitants of Tewkesbury presented Lord Chandos with a hogshead of claret, valued at £.6.

In 1638, the county assizes were a second time held at Tewkesbury, in consequence, it is supposed, of the gaol fever rendering it dangerous for the court to sit at Gloucester. They began on the 2d of July, before Sir Humphrey Davenport, lord chief baron, and Sir William Jones, one of the judges of the king's bench. The nisi prius court was held in the then town-hall; a temporary building was erected within a few yards of it, in the Barton-street, for the crown court; and the grand jury sat in the council chamber.

* The town armour was inspected in 1589, and consisted of eight corslets, eleven pikes, six muskets (all private property), nine calivers, fifteen bows and arrows, and thirty-six swords and daggers; besides which, there were charged upon the town, in private men's keeping, seven corslets and six muskets, all furnished with swords and daggers.—*Corp. Rec.*

CHAPTER V.

MILITARY TRANSACTIONS IN THE REIGN OF CHARLES THE FIRST.

PERHAPS no town in the kingdom witnessed greater vicissitudes than Tewkesbury, during the commotion which arose out of the disastrous quarrel between Charles the first and the Parliament. Being contiguous to the important garrison at Gloucester, so long and so successfully held by the parliament forces, in defiance of the utmost efforts of the king, and almost equally near to Worcester, which was for a long time a royal garrison, the possession of Tewkesbury was a consideration of the highest importance to both parties: it gave the entire controul of the only eligible passage over the Avon in this neighbourhood, and greatly facilitated the occupation of the bridge at Upton, which, being the only one across the Severn between Gloucester and Worcester, was frequently of the utmost consequence; and as the town was seated in the centre of a fertile and well cultivated district, it was peculiarly necessary to the garrison at Gloucester, for insuring to them a supply of provisions,—the want of which they sometimes severely felt, particularly at such times as the royal army held possession of this place.

Tewkesbury* appears very early to have espoused the cause of the parliament, though the king had from the first

* The common people at this period lent a willing ear to idle reports of omens and prodigies, however extravagant and absurd; and as one of the inhabitants of this borough had rendered himself in no small degree notorious, from being a witness of one of those “strange sights in the air,”

many firm adherents among the more respectable class of the inhabitants, particularly in the members of the corporation;* and however circumstances might render it prudent in some of them to stifle their loyal feelings, yet many worthy persons never deserted for a moment the interests of their persecuted though imprudent monarch.

The first decided manifestation of the sentiments of the townspeople occurred immediately after the first siege of Worcester, in Sept. 1642, at which time the place was garrisoned by a strong party of the republican army from Gloucester, and was afterwards for a short time augmented by part of the parliament forces which had been successful at Worcester. But when the Earl of Essex, in the following month, abandoned Worcester, to intercept the king in his progress from Shrewsbury towards London, and subsequently fought the memorable battle at Edgehill, where the parliamentarians were at first reported to have been completely routed, the abettors of anarchy in this place were stricken with terror, being in daily expectation of a visit from the royal army, and well knowing that they were not able to defend themselves in case of an assault.

A tolerable idea of the situation of the inhabitants may be formed from the following account by Corbet, extracted from

which were supposed then to occur as warnings to the people, that circumstance must be our apology for alluding to such ridiculous fancies. Howell, in his Familiar Letters, declares that he read the relation and deposition of the Tewkesbury carrier, who asserted that, some time previous to the breaking out of the troubles between the king and the parliament, as he was passing over the Cotswold hills, with his men and packhorses, a little before the dawn of day, they "saw most sensibly and very perspicuously in the air, muskettiers, harnassed men, and horsemen, moving in battel array, and assaulting one another in divers furious postures."—Those appearances were probably nothing more than northern lights; and it is more likely that the poor carrier was himself deceived by the workings of his own disordered imagination, than that he attempted to impose upon the credulity of others.

* In a catalogue of these royalists, in the county of Gloucester, who compounded for their estates with the parliamentarians, appears the name of Thomas Jeynes, of Tewkesbury, the amount of whose composition was £.31. 10s.

his celebrated "Historical Relation of the Military Government of Gloucester:" it should however be borne in mind, that the narrator, though he lived in that troublesome period, and was an eye-witness of many of the transactions he so minutely records, was a strenuous supporter of the republican party :

"The garrison of Tewkesbury (which was defended only with such slender forces as Gloucester could spare out of its penury, before the enemy fell on the county,) was already surprised with fear:" the people of "Tewkesbury sent an express to the city, to inform them of the state of their town, and to request more aid ; likewise they dispatched messengers to the villages round about, to acquaint them with the state of things, and to try whether the inhabitants would come in person or send in their arms, but there came neither the one nor the other ; and it was resolved, by the council of war at Gloucester, that the forces, ordnance and ammunition, with all well-affected persons, should forthwith repair thither. In the heat of this debate there came an invitation from Worcester, by a letter from Sir William Russell, with intimation of conditions of peace ; all which disposed that town to compliance with the enemy. Hereupon a common council being held, and the officers present, it was determined that the Gloucester order was to be obeyed. The town, thus deserted, was willing to provide for its own safety, and chose rather to obtain some reasonable terms of peace than suffer itself to be quite ruined ; wherefore they drew up some propositions to be sent to Sir William Russell, yet before the dispatch they sent to Gloucester a second message by the minister of the town, and an officer of the garrison, with Sir William Russell's letter and their answer. These promised an early return, but failing some hours of the time appointed, in the mean while the propositions were sent to Worcester. This message brought a countermand, when there sprung an alarm that Cirencester was regained, and the spoil and prisoners recovered back ; for this cause the soldiers were detained awhile, but when the report was found untrue, of themselves they began to quit the town. In the evening the messenger returned from Worcester,

with the propositions granted: the subjection seemed unfortunate and dishonourable in them whose affections were engaged to this cause, neither did there appear a means to prevent it, for the transmigration of the whole town was impossible, nor as yet did the condition of the war require any such thing from one particular place; for the parliament's adherents, as also the malignant faction,* did never at once forsake their habitations to be gathered into one body for a sudden conclusion, but were brought piecemeal into action, and many lay under covert in the enemy's country, reserving themselves for future service. Thus the people entertained gladly those conditions, which though performed in part yet were a sufficient bondage, did impoverish their spirits, cool their zeal of religion, and lessen the former inclination to liberty; after which by frequent changes under many lords they became so feeble that they never durst confide in themselves to vindicate the town into its former happiness, but a long time remained averse to the fairest opportunities, yea necessities of engagement, and desired an everlasting neutrality. The deserting of this town increased the forces of Gloucester by two hundred foot and dragoons, and took off the fear of a greater mischief; for though the quitting of the place caused us to resent our great distress, yet the taking thereof would have confounded our thoughts, and hazarded the main chance where the whole strength did not lie at stake."

A pamphlet, published in 1642, entitled "True News out of Herefordshire," gives an account of an action said to have been fought on Wednesday, Nov. 14, 1642, on the field where the last decisive battle took place between the houses of York and Lancaster near Tewkesbury, in which Lord Stamford routed the Marquis of Hertford and Lord Herbert, with the loss of two thousand five hundred men. This affair is wholly unnoticed by Corbet, or any writer of credit, and was without doubt entirely a fabrication, designed to divert the attention of the people.

* "The king's adherents were the *wicked* and the *malignant*: their adversaries were the *godly* and *well-affected*."—*Hume*.

The town was delivered up on the 7th of Feb. 1642-3, to Sir William Russell, who was appointed governor, and garrisoned it with a large force for the king. He exacted £.500* from the inhabitants, for the support of the royal cause; and seized all the public stores and ammunition, and even the fire-arms of private individuals, and sent the whole to the headquarters at Worcester.

In the following month, Sir William Russell, having first put the town in the best state of defence possible, retired to Worcester, and appointed Sir Matthew Carew governor of Tewkesbury; but the parliamentary general, Sir William Waller, having just gained a decisive advantage over the royalists under Lord Herbert, at Highnam near Gloucester, resolved to attempt the capture of Tewkesbury, which he effected, but was shortly afterwards obliged to abandon it. Corbet thus describes this affair;

“The general fame did increase and heighten the repute of Sir William Waller, and the enemy possessed therewith began to draw back on all sides: Sir Matthew Carew forthwith quitted the town of Tewkesbury, which within twelve hours was repossessed by our forces: Capt. John Fienes was commanded thither with a slender strength of horse and dragoons, with whom the well-affected of the town that abode in Gloucester began to return. The undertaking was hasty and confused, without the observance of the enemy's motion or distance, or any rational assurance of defending the place. Our party had no sooner saluted the town, but received an alarm that the former forces were returned with a greater power. 'Twas a gallant brigade of horse, commanded by the Lord Grandison, which immediately came from Cheltenham, whereof our men had not the least intelligence: it seemed by the event that the enemy expected none from Gloucester: however there was quick dispatch on both sides, yet Captain Fienes with his

* The townspeople having previously lent £.500 to the parliament, Sir William Russell thought it equitable that they should contribute the same amount for the service of the king.

whole party had been surprised, had not those horse been kept off at a mile distance by a ridiculous accident. It so fell out that they met a man coming alone from the town, whom they fell to question whether any forces were there, of what strength, and by whom commanded. The man, intending nothing less than the escape of our party, but supposing them a part of the parliament forces, and willing to curry favour, begins to talk of a main strength and vast numbers, with so many guns and all kinds of preparations, and withal defies the cavaliers with much affected indignation; which words so far prevailed, that they presently held a council of war, and once were about to fall back. This delay gave an hour's respite to those within to prepare for a flight, who had no sooner recovered the end of the town, but the enemy had entered, amazed to see themselves so miserably deluded.*

* The following is the account given of this affair by the king's friends, extracted from the *Mercurius Aulicus*, the famous court newspaper published at Oxford, under the superintendence of the celebrated Peter Heylyn:—

“*Tewkesbury, Wednesday, March 29, 1643.*—News also came this day that Sir William Waller, having by his perfidiousness and treachery beaten up the Lord Herbert's quarters, as before was said, had marched to Tewkesbury, which he took and pillaged: his majesty's forces there (which were but few) withdrawing themselves from thence by a timely providence as soon as they heard of his approach: but that he presently retired to Gloucester, not daring to adventure farther into the country, for fear of Prince Maurice and his troops, who was come to Cirencester, and joined with those other forces, who were before sent thither under the Lord Grandison.”—*Mercurius Aulicus, March 29, 1643.*

“*Tewkesbury.*—It was also certified, by the said messenger, that after Waller had left Tewkesbury, which his soldiers quitted in such haste upon the noise of Prince Maurice's coming, that some of them ran into the Severn to avoid the danger, the king's forces entered the same again; and that, besides the companies which were there before, there are three hundred commanded men put into it also, all of them being well armed and furnished with ammunition, which before was wanting; and for the want of which they had before withdrawn themselves at the approach of the enemy.”—*Mercurius Aulicus, April 2 to 9, 1643.*

The following account of the same transaction is copied from a parliamentary newspaper:—

“*Tewkesbury.*—Sir William Waller regained divers towns possessed by the cavaliers, but especially Tewkesbury, which he entered with small diffi-

Sir William Waller having returned to Gloucester, and from thence marched into Wales, Tewkesbury was suffered to remain quietly in the hands of Lord Grandison. Shortly afterwards, Sir Matthew Carew again returned from Worcester, and Prince Maurice came with a great additional force both of horse and of foot; so that these commanders conceived themselves strong enough to intercept Waller on his return out of the principality, where he had met with considerable opposition from the royalists.

"Wherefore," says Corbet, "a bridge of boats was made over Severn at Tewkesbury, that they might pass to and fro nearer the retreat of our army. Here the Prince marched over with a body of two thousand horse and foot, confident of this design, and therefore too remiss and slow in his advance. Sir William was nimble in the retreat, caused his foot and artillery to pass over Severn at Chepstow, and himself with his horse and dragoons passed through the lower part of the Forest of Dean, near the river side; and before the enemy had notice of his march, sent forth two parties to fall upon two of their main quarters, which was performed whilst the main body slept between both, and a party was left to face them and make good the retreat, which came off something disorderly, and with the loss of a few private soldiers. 'Twas an exquisite conveyance, and unexpected felicity that brought them out of the snare through those intricate ways. This alarm quickly reached Gloucester, and Lieutenant-Colonel Massey drew out three hundred foot and two troops of horse to fetch off our men, but if he found them disengaged, for a further design. This party met them within two miles of the town, where the governor made known to Sir William Waller his purpose to set upon Tewkesbury; and taking the opportunity of the prince's absence, and the enemies' jollity at our supposed total defeat, instantly advanced upon them, and by break of day brought

culty, took divers prisoners and great store of arms, Prince Maurice having placed all his stores and magazines there, and other rich prize; that done, he placed a garrison in Tewkesbury, and so himself came to Gloucester."
—*Perfect Diurnal*, April 10 to 17, 1643.

up his men before the town, one part whereof fell into the Ham, seized upon the guard left with the bridge of boats, and cut off that bridge; the horse with the rest of the foot came up Gloucester way, the forlorn hope surprised and slew the sentinel, climbed over the works, and cut down the draw-bridge; whereupon both horse and foot rushed in, and the party on the other side of Avon ready to enter. There were left in the town near three hundred men, commanded by Sir Matthew Carew, whom the triumph of yesterday's conceived victory laid asleep, and the sudden alarm roused up, first into a shuffling fighting posture, and after half an hour to a nimble escape. Sir Matthew Carew fled, and many escaped the hands of our men, who wanted numbers to surround the town, but most of the common soldiers, and some valuable officers, were taken.*

* On the 15th of April, 1643, a letter was read in both Houses of Parliament, from Sir Wm. Waller and Sir Arthur Haslerig, (dated April 12th,) detailing "The victorious and fortunate Proceedings of Sir William Waller and his forces in Wales, and other places, since they left Malmsbury; with the true manner of his taking Highnam and one hundred and fifty commanders and gentlemen, and one thousand four hundred and forty-four common prisoners, well armed; also how he beat up Prince Maurice's quarters, brake through his army, and came safe to Gloucester, from whence he sent Lieutenant-Colonel Massey to take Tewkesbury, which he hath since effected." This letter, which was published by order of parliament, and printed for John Wright, in the Old Bailey, April 17, 1643, thus concludes: "Last night we came to Gloucester, and sent forth Lieutenant-Colonel Massey for to take Tewkesbury, which this morning he did. There were eight commanders, but we missed Colonel Slater, he being gone last night to give information at Oxford, that all Sir William Waller's forces were routed. We doubt not but you will have strange reports, believe this, God hath been good unto us beyond our thoughts; the taking and keeping Tewkesbury is of great consequence to these parts, Prince Maurice's design of taking us in the forest is now foiled; and so have we the bridge he passed over, but if he make haste, we fear he will find another before we can give a stop, if not, we hope he may taste a little of Wales as well as we have done. We writ you a letter for some arms and ammunition, we earnestly beg they may be sent, and two hundred horsemen's swords of Kennet's making at Hounslow. We desire your praises of God, and your prayers for,

My Lords and Gentlemen,

Your faithful Servants,

WILLIAM WALLER,

ARTHUR HASLERIG."

"We are now marching towards Tewkesbury."

This capture of the town by Colonel Massey occurred in the beginning of April, 1643; but Prince Maurice only retreated a few miles towards Worcester, and was so little intimidated by the defeat, that on the very same day a large party of his horse appeared at the Mythe, which so alarmed the parliament forces, that they instantly sent to Gloucester for reinforcements; and Sir William Waller, considering the preservation of Tewkesbury at that juncture of the utmost consequence, marched thither himself the same evening, resolving either to break down or take the bridge at Upton, which was then strongly guarded by the prince.

The skirmish at Ripple, which immediately followed, is so fully detailed by Corbet, that we shall give the particulars of it in his own words:

“The next morning, Sir William advanced towards the prince, and found him in Ripple Field, with his army drawn up, and divided into three bodies, besides the hedges lined with musketeers. Here our forces faced the enemy in a large field, and could hardly reach the third part of the prince's strength; brought up their guns, having neither shot prepared, nor cannoniers that understood the business, nor the assistance of foot, save only a part of the governor's own company; besides the wind and sun were against them, and no retreat if need were, but through a narrow lane of two

The court newspaper thus laments this unfortunate affair:—

“*Tewkesbury*.—But it was certified withal (though by later messengers) what ill success this fortunate success produced. For those of his majesty's forces which were left in Tewkesbury, upon receipt of this good news [the defeat of Waller's forces by Prince Maurice in the Forest of Dean] grew so secure, if not so careless of themselves, that they neglected to keep their watches, and so became an easy prey unto the enemy, who coming up the water in boats from Gloucester, to the number of four hundred or thereabouts, made themselves masters of the town ere they were discovered, seized on the officers and soldiers as they were asleep, carried their arms and horses away to Gloucester, took prisoners most of the commanders and some common soldiers, and so returned again without any loss. So that, comparing this with some former accidents, a man may easily observe, that his majesty hath lost more by the negligence of his own men than the power and valour of his enemies.”—*Mercurius Aulicus*, April 9 to 16, 1643.

miles long ; and whereas they might stand upon the top of a rising ground to deceive the enemy with the semblance of a greater power behind, they descended a little on the side of the hill, and discovered their weakness to a full view. In this posture, some persuaded to fight, and began to make some shot with the ordnance, which gave no shew of the least execution. But some other officers examined the cannonier, and finding neither fit bullet nor any convenient shot, but all things at random, earnestly dissuaded either to make the onset, or expect the enemy in that place ; and advising likewise the trial, discovered their ambuscades within the hedges. Hereupon Sir William Waller fell back, and entered the narrow lane, commanding a party of dragoons to face the prince's army, and the musketeers to stand at the corner of the lane within the hedges, to make good the retreat. The enemy fell on, not a man of those dragoons would stand to receive the charge, but hurried away, broke over the hedge, fell among and disordered our own musketeers, the enemy clapt in after them, cut down four or five of the foot, and took as many prisoners. Lieutenant-Colonel Massey kept close to his foot, and instantly dispatched to Tewkesbury for a supply ; and Sir Arthur Hazelrig prevailed with his own troop to charge, and in his own person performed gallantly : the foot with those horse put the enemy to a stand, and in part took off the foulness of the retreat through that strait passage. When they came to the next open place, our men had the advantage of a ditch to stay the pursuit ; and in the heat of the chase, one foot soldier, at the command of the governor, turned upon the enemy a gate then cast off the hinges, which barred their entrance, and enabled our men to draw up for a charge : here for awhile they stood in amaze, but on a sudden faced about, ran flock-meal, the enemy upon their backs, and the close of this action was like to be miserable ; but at the entrance of a strait passage, near the Mythe Hill, a supply of foot from the town opportunely met them, galled the enemy, and put them to a stand once more, whilst the governor charged the leader of the forlorn hope, hand to hand, and was rescued by

the gallantry of some officers, when of ours only a small party of horse remained in the field, the rest being got off in great confusion. Yet the escape might equal a victory, and the saving of the forces pass for clear gain. Prince Maurice did not attempt the regaining of Tewkesbury, the government of which was entrusted to Sir Robert Cooke, who had newly raised a regiment of foot by commission from Sir William Waller.*

* The following are the court newspaper accounts of this engagement :—

*“Tewkesbury, Apr. 14, 1643.—*This day there came relation of a second fight betwixt the forces of Prince Maurice and Sir William Waller : it being related, that after the defeat at Little Dean, Waller returning with his horse had, by by-paths and unsuspected ways, got in safe to Gloucester, and from thence taking with him some commanded men out of the garrison there, had entered Tewkesbury, being made ready to his hands (as before was noted) intending to have kept the prince beyond the Severn ; but that the prince, hearing how he had stolen away, and warily suspecting what his plot might be, had sent five hundred horse before to gain Upton Bridge, which was done accordingly : that the prince, having crossed the Severn, drew towards Tewkesbury, where Waller tarried to expect him, and for his entertainment had lined the hedges thereabouts, with good musketeers, with an intent to brave the Prince, with some troops of horse ; and so by that bravado to entice his army within the reach and compass of his ambuscado ; that the Prince, knowing whom he was to deal with, having repulsed the horse so sent out to brave him, pursued no further than the country was free and open ; and then commanded some of his choicest foot to scour the hedges ; which being done, he fell so unexpectedly upon them with the main body of his forces, that he made them fly, killing about eighty in the place, besides as many more (as it is conceived) who, flying from the sword, fell into the river, and were there drowned, there being but two only killed of his own soldiers : that Waller upon this second beating had recovered Tewkesbury, which he began to fortify for his best defence ; and that the prince was got betwixt him and Gloucester, intending to prevent him from returning thither. What hath been done since then is not yet made known.”—*Mercurius Aulicus, April 9 to 16, 1643.*

*“April 15, 1643.—*A false report is contradicted, ‘that Sir William Waller, when he came first to Tewkesbury, (after his beating up of the Lord Herbert’s quarters) took twenty-five of his majesty’s horse, with their pistols, carbines, and other arms, and £.16,000. in money.’”—*Ibid.*

*“Tewkesbury, April 19, 1643.—*There came this day some more particular information of the fight at Ripple Field, near Tewkesbury, mention whereof was made on Friday, April 14, in the last week of this *Mercurius* ; viz. that

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Shortly after this affair, Sir Robert Cooke and his forces were called off from Tewkesbury; and having destroyed the works, he marched into the west, leaving the town once more without a military governor.

In June, Sir William Waller and a large army passed through this place on their way to assault Worcester; but being valiantly repulsed there, he retreated to Tewkesbury with three thousand men and eight pieces of ordnance, and retired again to his old quarters at Gloucester.

On the 10th of August, 1643, his majesty commenced the memorable siege of Gloucester, and as the fate of the kingdom appeared to depend principally upon the issue of this measure, the eyes of the whole nation were directed to that quarter on which the hopes and fears of both parties were suspended. During this momentous period, Tewkesbury was in a state of the utmost alarm; and as it appeared impossible that the city could hold out against the overwhelming strength of the king until reinforcements should arrive, Mr. Hill, the town-clerk of the borough, and Mr. Bell of Sandhurst, were deputed to solicit a conference with the garrison of Gloucester, and, by persuading them to yield up the city, to avert the dreadful burthens under which the neighbourhood already groaned, and the still greater sufferings which were likely to follow a protracted defence. This conference was held on the 24th of

one of Waller's troops of horse was by themselves confessed to be cut off by the Prince Maurice's forces; and that another, which was thought to have saved themselves by running away, was not yet returned unto their fellows; his foot being so extremely routed, that it was thought impossible they should be rallied; so that in the two late fights betwixt Prince Maurice and him it is conceived he hath lost above five hundred of his men: as also, that Sir William Waller himself, being by accident thrown off his horse in the heat and fury of the battle, was trodden under foot, and so sorely bruised, that it was thought he could not easily recover, insomuch that it was affirmed in London, as is advertised by some letters thence, that he was killed, and all his men slain, except those that fled; and it was signified, withal, that since the fight Prince Maurice was marched towards Evesham, to comfort and refresh his wearied troops after so long travel; and that on his removal thither, Waller was safely got to Gloucester, where he still abideth."—*Mercurius Aulicus*, April 16 to 23, 1643.

August, but the garrison resolutely refused to hearken to the advice of the mission.*

In the mean time, parliament being apprised of the depressed state of the city, sent the Earl of Essex, with fourteen thousand efficient men, including four regiments of the London militia, to the relief of Gloucester. The appearance of this immense body of troops, as they passed almost within view of the town, could not fail deeply to interest the feelings of the inhabitants of Tewkesbury, who anticipated the most dreadful carnage betwixt the contending armies before the gates of Gloucester; but the whole nation, which had long been surprised at the languor with which the king assaulted the place, was still more astonished at the tameness which he evinced by raising the siege at Essex's approach, and making way for him to enter the city unmolested.

The Earl of Essex having supplied the garrison with military stores, and encouraged the country people to furnish them with provisions, hoped to retire without hazarding a battle with the king's army, then stationed at Winchcomb and Sudeley, which he dreaded on account of its superiority in cavalry. Leaving therefore a reinforcement of troops in Gloucester, he came to Tewkesbury, which he summoned and entered on Sunday the 10th of September. He remained here five days, and exacted the twentieth part of the property of the royalists for the relief of the garrison of Gloucester, and then, feigning to proceed towards Worcester, he, by a forced march during the night, reached Cirencester, and thus obtained the double advantage of passing unmolested an open

* In a pamphlet, entitled "An Abstract of several remarkable Passages which happened at Gloucester during the Siege," are the following verses on the above gentlemen :—

BELL.

All know full well,
That every *Bell*
Is useless till't be hanged ;
And none I hope,
Denies a rope
To have his sides well banged.

HILL.

This *Hill* was seen
In summer green,
Fresh, faire and flourishing ;
Now Proteus-like,
'Tis altered quite
'Tis fading, perishing.

country, and of surprising a convoy of provisions which were in that town.*

* Henry Foster, quondam serjeant to Capt. George Mosse, published "A true and exact Relation of the Marchings of the two Regiments of the Trained Bands of the City of London, being the Red and Blue Regiments, as also of the three Regiments of the Auxiliary Forces, the Blue, Red and Orange, who marched forth for the Relief of the City of Gloucester, from August 23 to September 28, 1643," from which the following extracts are made:—"Sept. 5. We advanced to Prestbury, within sight of Gloucester. This evening the Lord General was fain to fight for his quarter, and beat the enemy out of it, at a market town called Cheltenham.—The next morning, Sept. 6, our soldiers came down from Prestbury Hill into the village, being wet to the very skin, but could get little or no refreshing, every house being so full of soldiers: the cavaliers were in the town but the day before. We staid here but two or three hours that morning: our soldiers began to complain pitifully, being even worn out and quite spent for want of some refreshing; some complaining they had not eat or drank in two days, some longer time. Yesterday the enemy raised their seige from before Gloucester; this day our two regiments of the trained bands marched to a little village called Norton, three miles wide of Gloucester, and four miles from Tewkesbury, where our soldiers had some reasonable accommodation and refreshment: in this village we had many alarms: we continued here two days and two nights.—Sept. 7. This night, about seven of the clock, there came a command for our regiments of the trained bands to march five miles back again in the night, but it being a very dark night, and our men worn out and spent with their former marching, they refused to go; but next morning, Sept. 8, we did. The Lord General with the whole army marched into Gloucester this day. The city was exceeding full of horse and foot: the enemy besieged this town a full month and three days. We found very loving respect and entertainment in this city, they being very joyful of our coming; we abode here Friday night and Saturday, and marched away on Sabbath-day morning. The Lord General left in this city three great pieces of ordnance, as also many score barrels of powder, with match and bullet proportionable, furnishing them to their heart's desire.—Sept. 10. The whole army advanced from Gloucester to Tewkesbury, where we abode four days and five nights, till Gloucester had provided themselves of corn and other provisions: the enemy had cut off from the city all their pipes of water, and burnt their mills. My Lord General summoned this town of Tewkesbury, and demanded the twentieth part of their estates for the relief of Gloucester. We were at this town five days, from Sabbath-day till Friday, Sept. 15. On Thursday night, the enemy did fall upon some of our troops of horse, who were quartered about three miles from Tewkesbury, [at Oxendon,] of the regiment belonging to Sir James Ramsay; they slew many of our men, and took many others prisoners. We took four of them prisoners; but the greatest loss was sustained on our side. Before we marched from this town, the Lord General gave orders for the making of a bridge over the Severn near

A few days subsequent to this, a party of the parliament soldiers, which had been left in Tewkesbury, aided by a

Tewkesbury, as if our intention had been to march with our army over there to Worcester ; which caused the enemy to draw their forces thither, as a place of refuge. The wisdom and policy of the Lord General and counsel of war, as also their great care for the preservation of our army, is highly to be commended, and never to be forgotten ; and may serve to stop the mouths of all such as shall hereafter be opened against him ; for had the enemy known which way we had marched, they might have had us at a great advantage, by gaining the hills ; we being now in the vale of Evesham, and all our great ordnance and carriages to be drawn up these hills, they might have kept us there all this winter, and starved our army ; but, blessed be God, we all marched away with safety. One that was present at Evesham, where the king with his army lay, affirms, that when tidings came to the king that we were marched from Tewkesbury, they did stamp and swear and curse their scouts exceedingly, that they gave them no better intelligence of our departure. And the same day we marched from Tewkesbury, the king with his army and train of artillery marched from Evesham after us.—September 15. Our whole army advanced from Tewkesbury to Cirencester, 17 miles ; we marched all night, and sat down before it about three o'clock in the morning.”

From “A true Relation of the late Expedition of his Excellency Robert Earl of Essex, for the Relief of Gloucester,” ordered by the Commons, Oct. 7th, 1643, to be printed, the following extracts are taken.—“Monday, Sept. 4. The army that night quartered at Naunton. Tuesday (the 5.) his Excellency advanced and came to Prestbury Hills, where he drew up his whole army in view of the city of Gloucester, and discharged four pieces of great ordnance to give them notice of his approach ; soon after we discovered the enemy’s quarters on fire, for upon our advance they deserted the siege, and marched away all that night in fear and disorder : the rear guard of our army, some ordnance and ammunition, stayed on top of the hills by reason of the steepness thereof, darkness of the night, and tempestuousness of the weather, whereby (besides the famine) the whole army had for three days march before, extremely suffered through a country that the enemy had already destroyed, and that night through the violence of cold and rain divers of their horses died. His Excellency with the rest of the army quartered that night below the hill at Prestbury.—The next day (being Wednesday) his Excellency marching to Cheltenham, the enemy fell into the quarters of Col. Dalbeir’s regiment ; but having the alarm, soon retired with little loss.—The next day (being Thursday) the enemy beat up the quarters of Col. Goodwin and Col. Beere’s regiment ; the loss was not considerable, only Major Boza (charging the enemy very bravely, to make retreat for the rest) there lost his standard ; his lieutenant and cornet taken prisoners.—His Excellency staid at Cheltenham till Friday, and then marched with his whole army to Gloucester, where he continued till Sunday, furnishing the town with ammunition, money and other neces-

few others from Gloucester, made a disgraceful excursion to Castlemorton, where they plundered the house of Mr. Bartlett, and wantonly destroyed much valuable property.*

saries.—On Sunday he marched to Tewkesbury, where he staid betwixt the enemy's forces and that garrison four days, to give them more time to furnish themselves better with provision of victual, which was to be brought from Herefordshire and parts beyond the Severn, since all the hither parts were before ransacked by the enemy. In all these removes since our army came down the hills, the enemy avoided quartering near us, lying at Sudeley when we were at Gloucester; and when we came to Tewkesbury, and advanced with part of our forces to Upton, they marched with their army to Evesham, and towards Worcester, ten miles at least from us: whereby it appears how true it is that they pursued us ten days to seek battle.—On Friday morning, his Excellency arose with his whole army from Tewkesbury, intending to quarter that night at Cheltenham; but upon advertisement that a body of the enemies were then in Cirencester (which were reported to be Prince Maurice's forces) and had there laid in great store of provision for their army, (our want of necessaries and victual still continuing, and miserably increasing upon us,) his Excellency made a long march with the vanguard of the army, to fall upon them; which he did about one of the clock in the night, sending in a party of horse, (under the command of Major Robert Hammlton,) to seize upon the centinels and guards, whilst we with the rest of the horse begirt the town, and a forlorn-hope of foot (commanded by Col. Alex. Bradley) and his Excellency's own foot regiment entered the town, and surprised two regiments of horse (being Sir Nich. Crispe's and Col. Spencer's) which were both, by the confession of their own prisoners, intended for raising a commotion in Kent. We took there likewise forty loads of victuals, which under God's providence was the preservation of the army till the day that we fought the great battle [at Newbury]: there were taken six standards, all the officers except the two colonels, which were absent, with divers other gentlemen of quality, above three hundred common soldiers and four hundred horse."

"There came letters to the Parliament this day from the Earl of Essex, dated at Tewkesbury, the 11th present, and directed to the Speaker of the House of Commons, giving them a brief account of the relieving of Gloucester. Upon consultation of these letters by the Commons, public thanks were ordered in the churches, and thanks of both Houses to the Earl of Essex the governor, and garrison. The governor was presented with £.1000; additional forces and arms ordered for the garrison; and £.4000 more in money to be sent; and every man to have a month's pay gratis, over and above his arrears."—*Perfect Diurnal*, Sept. 11 to 18, 1643.

* "On the 21st Sept. 1643, one hundred and fifty soldiers, some from Gloucester and some from Tewkesbury, taking the advantage of the neighbourhood being absent at Ledbury fair, under the conduct of Capt. Scriven, son to Scriven the rich ironmonger, and sometime mayor of Gloucester, came to Castle-Morton, to plunder Mr. Rowland Bartlett's house; a

After the first great battle at Newbury, which happened on the 28th of September, 1643, Sir William Vavasour was sent by the king to raise forces in Herefordshire and the adjoining counties of Wales, and with them to garrison Tewkesbury. Sir William accordingly arrived here in October, with about seven hundred horse and foot, with which he put the town into a tolerable state of defence, invited the neighbourhood to repair to the royal standard, and styled himself governor; but his newly-raised troops, being unaccustomed to the privations of a military life, mutinied and ran away with the utmost precipitation, on the first alarm of the approach of the enemy from Gloucester. Sir William, being thus deserted by his troops, was obliged to abandon the town, and retired to Hereford, after sustaining a very severe loss in killed and taken.*

The country gentlemen, particularly those residing in the neighbourhood of the Cotswold hills, about this period began

man so well beloved in his country for his hospitality, so dear to all sorts of people, especially to the poor, for his charity, and those helps which he freely bestowed on them, that, had not the rebels taken the opportunity of his neighbours being at the fair, the force had been too weak to have plundered his house. In Mr. Bartlett's chamber, Scriven seized Mrs. Bartlett's watch, and there breaking open a chest, took away £.600 in money, besides linen to the value of £.60; in other rooms they found more money, plate, jewels, bracelets, &c. amounting to a great sum; among other things valuable, both for rarity and use, he took a cock eagle stone, for which thirty pieces had been offered by a physician, but refused. In their strict search, they met with Mrs. Bartlett's sweetmeats; these they scattered on the ground, not daring to taste of them for fear of poison. After this, poor Mr. Bartlett's house was plundered four or five times."—*Mercurius Rusticus*. Mr. Bartlett was a Roman Catholic, and was one of the last of the country gentlemen who retained a jester in his house: many of the tricks and drolleries of John Havod, "the squire's fool," were remembered by the inhabitants of the village of Castle-Morton, long after his death.

* "Tewkesbury.—From Gloucestershire the House having received intelligence, that a party of the king's forces coming to Tewkesbury began to fortify the same for a winter garrison, and the very renowned governor of Gloucester, Colonel Massey, having notice thereof, drew forth a considerable party of horse and foot from Gloucester, and marched towards Tewkesbury, where he fell upon the enemy, killed about three hundred of them, took many prisoners, with about five hundred arms, and put the rest to flight."—*Perfect Diurnal*, Nov. 6 to 13, 1643.

to take a more decided part in favour of the king: Tewkesbury was again garrisoned by the adherents of royalty, and Sir William Vavasour returned to the chief command, accompanied by Sir Walter Pye and Colonel Wroughton, who fortified the town stronger than ever. The garrison at Gloucester continually annoyed the forces within the town; and between the different parties, while on foraging expeditions, there were repeated skirmishes. The army having been augmented by the arrival of two Irish regiments, which broke up from Wotton-under-Edge, and came over the hills in safety, notwithstanding the efforts of Governor Massey, who sent out a party from Gloucester to stop their progress, consisted of upwards of two thousand six hundred foot and horse; but shortly afterwards part of them were sent towards Evesham, to join the king's troops in that quarter, who were waiting to intercept supplies which the city of London had long promised to forward to the garrison at Gloucester.

In the beginning of 1644, Prince Rupert came to Tewkesbury, and considerably distressed the garrison at Gloucester, by cutting off their supplies from the country;* and Sir William Vavasour, having at that time fifteen hundred horse and foot constantly quartered in the town, made an attempt to take Bodington manor-house, where the governor of Gloucester had placed a detachment, for the protection of those husbandmen and others who supplied the garrison with provisions. He appeared before the house with five hundred foot and two pieces of large ordnance, with which he commenced an assault; but the besieged defended themselves with such bravery, that they were enabled to hold out until a reinforcement arrived from Gloucester, when Sir William was compelled to return to Tewkesbury, having lost eight or ten men in the affray.

* "By letters from Gloucester, it is informed to the House of Commons, this day, of the intolerable oppressions of the Duke of Plunderland [Prince Rupert] and his plundering cavaliers, lately come into those parts about Tewkesbury; and that he sends about his cruel warrants, threatening fire and sword to all those that shall carry or cause to be carried any victuals or any provisions to the garrison at Gloucester, whereby that garrison is somewhat straitened."—*Perfect Diurnal*, Jan. 29 to Feb. 5, 1644.

At this time, such multitudes of the king's forces were stationed in and near to Tewkesbury, that they became extremely distressed for provisions: on one occasion, two thousand horse and foot were compelled to march together as far as Painswick, to gather contributions about Stroudwater, who, on the following day, all safely returned laden with plunder.

Sir William Vavasour was called away from the government of this town early in the spring, and Colonel Nicholas Mynne, of the Irish brigade, who was a much more active leader, took the command. This change was so unwelcome to Colonel Massey, governor of Gloucester, who had before experienced the great bravery and loyalty of Mynne, that he determined to attempt the recapture of this important station by an unexpected attack.

"For the enemy," says Corbet, "by the number of their men, and the natural strength of the place, with the works well begun, were sufficiently provided to receive an expected and open storm, and the governor shunned all desperate hazards, because he did not march with supernumerary forces, but the main strength of Gloucester. Wherefore, to deceive the enemy, the foot were drawn forth at the West-gate, bearing the shew of an advance into Herefordshire, and the horse kept their rendezvous, and looked the same way. But in the evening the horse came back, and marched through Gloucester towards Tewkesbury, having first sent a guard to Upton bridge, while the foot came on beyond Severn. The design had taken effect, had not the foot, by their slow march or misguidance, passed the hour, which was break of day, for they came not before the town till an hour after sun-rising, when we were found not fit to assault a waking and prepared enemy. To withdraw, nevertheless, did seem but a feeble business for such a fair body of horse and foot displayed before the town, and carried before it the appearance of a baffle: yet the governor, though naturally jealous of honour, could digest such mis-feasance, when the safety of his own men required, knowing that the opportunity of service would in good time cancel a misgrounded ignominy.

“ After few days, the governor, having breathed himself and his men, resolved to attempt the taking of Tewkesbury, a bad neighbour to our head garrison, and where he had suffered the repulse twice before. He was able to draw forth a hundred and twenty horse, and about thirty dragoons, and three hundred foot. For his strength was no more than the standing forces of the city, a great part of which were now swallowed up by the garrisons lately taken in. The horse and dragoons, commanded by Major Hammond, advanced some few hours before the foot and artillery, and were to alarm the enemy till the foot came up. They made a halt a mile from the town, and drew out a pretty strong forlorn-hope, conceiving they might possibly surprise them, if they had not as yet taken the alarm; and first, three men were sent before to espy if the draw-bridge were down, and six more behind went undiscovered; next unto these marched the forlorn-hope, and the main body in the rear. In this posture they advanced up to the town, where they found the bridge down, the guards slender, the enemy without intelligence, and supinely negligent. On went the first party, killed the sentinels, a pikeman and a musketeer without match, and made good the bridge: the forlorn-hope rushed in, and after them a full body of horse and dragoons, fell upon the guards, came up to the main-guard before the alarm was taken, overturned their ordnance, and charged through the streets as far as the bridge Worcester way, where they took Major Mynne, the governor of the town. The enemy threw down their arms, many escaped by flight, and many were taken prisoners. Colonel Godfrey was slain in the first charge, as also Colonel Vavasour's quarter-master-general, and a lieutenant, all papists, besides a sergeant, with about six common soldiers. Our officers and soldiers, supposing themselves wholly victorious, dismounted and went into the houses, some in the vanity of their humour, others for plunder, whilst all slighted their own guards, and the making good of the bridge at which they entered, and neglected the taking and disarming of the main-guard, which lay in the heart of the town, and cleared every street. Whereupon those at the

main-guard, observing the horse not seconded with foot, took courage to charge some of our horse now in confusion, and many of the enemy out of the houses ran to the guard, and so strengthened it, that they issued out upon our men, put them to a retreat, beat them out of the town, and took some few prisoners. But before they were beaten out, they had cut down two draw-bridges, and secured the governor, Major Mynne, who was passed over Severn with a small party that took him beyond the town. By this time, Colonel Massey was come up with a few horse, half a mile in the van of the foot, which hastened after to make an assault in this instant of time. But the bridge towards Gloucester was again drawn up, and the works manned on that side; here the governor placed his company of dragoons, and gave order to fire upon them, whilst he drew his men round the town, it being now dark night; but before he could reach the farther end, where he entered about midnight, the enemy were fled towards Worcester, being daunted at the first assault made by the horse, observing withal our foot now brought up, their own governor lost, their officers slain, and most of the common soldiers already run away. The townsmen, through fear, durst not give the least intelligence of what had happened. By which means they were past the recovery of our horse, already tired, besides the night and dark weather hindered the pursuit. Only we took some scattering foot, to the number of four and twenty, with a lieutenant. Upon our entrance, we found eighteen barrels of powder, left by their haste, a hundred and twenty skeins of match, two hundred new pikes, four and thirty large hand-granados, good store of musket shot, and two brass drakes. Most of their muskets were thrown about in the fields, ditches and rivers, many of which were afterwards found; but the place itself was of greatest consequence, and worthy of the service, being now a strong frontier town, securing that side of the county, and commanding a good part of Worcestershire; and in this nick of time extremely cross to the intentions of the king's army. The enemy confessed themselves to be near seven hundred strong, when our whole body could not reach that number."

This affair took place on the 5th of June, 1644,* while the Earl of Essex and Sir William Waller remained with their armies near Oxford, watching the movements of the king: his majesty however contrived to elude their vigilance, and hastened over the Cotswold hills to the relief of Tewkesbury, not being apprised of the loss of the place until he was within a day's march of it. Finding that Massey had rendered the bridge at Upton impassable, the king went to Evesham, where he remained one night, and when he left it in the morning, he broke down all the bridges, to prevent Sir William Waller, who was in the rear, from pursuing him.†

After this, the king's army remained for a considerable time about Bredon hill, keeping Tewkesbury in continual alarm. At length, on ascertaining the weakness of the place, his majesty in person drew near with the intention of storming it; he advanced his ordnance within a mile of the town, and sent out parties to skirmish. Colonel Massey, in the mean while, sent into the town two hundred musketeers from Gloucester; and marched himself, with another party, to Corse Lawn, where he encountered and dispersed a detachment which had been sent

* A manuscript, written in 1644, in the possession of the Tewkesbury feoffees, thus enumerates "The several changes of our town in these wars:—

- " 1.—Very forward and active for the parliament.
- " 2.—7th Feb. 1642-3, it was delivered up to Sir William Russell, who was the governor.
- " 3.—In March following, Sir Matthew Carew was made governor, and shortly after withdrew to Worcester.
- " 4.—Then, within three days, came in Capt. John Fienes from Gloucester.
- " 5.—The next day came in the Lord Grandison, with a great army, and so Capt. Fienes retreated to Gloucester.
- " 6.—Then Sir M. Carew returned from Worcester, and settled here again.
- " 7.—Then, viz. April 1643, Colonel Massey won the town, and Sir Robert Cooke was governor, who shortly after sleighted the works, and left the town.
- " 8.—Afterwards, came in Major Massey to be governor.
- " 9.—10th Sept. 1643, came in the Earl of Essex from raising the seige at Gloucester.
- " 10.—Then came in Sir Wm. Vavasour; and his soldiers, being Welch, ran away.
- " 11.—Then, the 6th of Jan. 1643-4, he came again, with fresh men.
- " 12.—5th June, 1644, Colonel Massey won it."

† Perfect Occurrences, 1644.

from Worcester; and then, crossing the Severn, came to Tewkesbury, upon which the king drew off his forces, and retired towards Pershore and Evesham.

In 1644, “the fortifications and bulwarks,” which had been previously erected around the town, were strengthened and increased; and twenty-five of the inhabitants were daily employed by the corporation on the works. The High-street men worked at these on Tuesdays, Wednesdays and Thursdays; those of Church-street on Fridays and Saturdays; and those of Barton-street, on Mondays.*

* In the account of Mr. Alye, as to the “assignment for the Tewkesbury garrison,” beginning Aug. 16, 1644, and ending July 18, 1645, (preserved among the Corporation Records,) the following items appear:—

The total charge assessed on Tewkesbury hundred, and the hundreds of Cleeve, Westminster, Ti- baldston, Cheltenham, Deerhurst, the borough of Tewkesbury, &c. was.....	£.5206	15	2
The total Receipts on account of which were	4586	9	4
The total Arrears were	620	6	7
The total Disbursements were	4640	16	11
The Money owing was	54	7	7

Particular Disbursements.

For petty charges of the Garrison	£.238	16	5
Paid the Marshall	16	10	0
Gunner and Mattresses	127	3	6
Captain Evans	58	15	0
Captain Cartwright.....	28	0	0
Captain Pury	324	19	0
Major Grey	91	4	0
Captain Warde of Tewkesbury	724	19	0
Captain Neast	273	5	0
Captain Warde	789	10	0
Lieutenant-Colonel Matthews	887	4	0
The Governor	1076	11	0

In this account, the total charge of a company weekly is stated to have been £.21. 16s. ;—viz. 80 common soldiers, £.16.—captain, £.2. 12s. 6d.—lieutenant and ensign, £.1. 4s. 6d.—2 serjeants, 14s.—3 corporals and drummer, £.1. 5s.

The charge for the governor’s company was £.30. 8s. 6d.—viz. 110 common soldiers, £.22.—for his own pay, £.5. 5s.—and £.3. 13s. 6d. for his officers, as above.

The whole pay of the four companies, if they were full, amounted weekly to £.95. 16s. 6d. and for the gunner and mattresses, £.1. 18s. 6d. more.

The Worcestershire committee, for aiding the parliament, assembled here for some time in the latter end of the year 1644, and were guarded by two hundred and fifty well-appointed horse; and Colonel Rouse was also stationed here, for the purpose of raising a regiment of foot for the parliament, about the same period.*

In May, 1645, Colonel Massey came, with a reinforcement from Gloucester, and scoured the neighbourhood, as the garrison apprehended a visit from the king's forces, which were collecting in Worcestershire.† In September, Major General Poyntz arrived, for the purpose of watching the movements of the king, and of preventing especially his going to his friends at Bristol.‡

In 1647, the borough was assessed at ten guineas per month, towards the maintenance of the forces under the command of Sir Thomas Fairfax, and for carrying on the war with Ireland.§

In 1648, an additional troop of horse, belonging to the parliament, was quartered upon the parish;|| and in the following year, a petition to the government, from the corporation, asserted, in substance, "that the town was a parliament garrison, that the inhabitants generally were friendly to the parliament, and that most of them were provided with arms in their houses."

* Parliament's London Post, Jan. 7, 1645.

† Ibid, May, 1645.

‡ "At this very instant, Major-Gen. Poyntz is here with the commissioners, and his horse are now passing over Severn in boats on Worcestershire side, and so onwards, intending to be observant of the king's motions, especially if he look towards Bristol."—*Letter from Tewkesbury, in Perfect Occurrences, Sept. 8 to 15, 1645.*

§ Tewkesbury Corporation Books.

|| This troop was thus disposed of:—the town quartered 50—Walton Cardiff, 11—Southwick, 19—the Park, 16—and the Mythe and Mythe Hook, 14. For their support, the town contributed monthly, £.18.—Walton Cardiff, £.4. 2s. 6d.—Southwick, £.7. 8s. 4d.—the Park, £.6. 0s. 4d.—and the Mythe and Mythe Hook, £.4. 17s. 6d.

In 1651, when Cromwell marched to Worcester, to attack King Charles the second, a portion of the parliament's army occupied Tewkesbury; but as there were numerous parties of royalists in the neighbourhood, the republicans were afraid to leave their position even to obtain provisions, and were therefore in a great measure dependent upon their friends at Gloucester for supplies. Two days only before the last decisive contest at Worcester, a large quantity of bread was sent by the corporation of Gloucester to the lord general's army at Tewkesbury.

During the latter period of the commonwealth, Tewkesbury remained comparatively tranquil. On Christmas eve, 1653, Cromwell was proclaimed protector, with the same forms that are observed on the accession of sovereigns to the throne. In 1657, a recruiting took place, for the purpose of filling up a regiment, commanded by Colonel Mills, which was designed to assist in opposing an armament then expected to invade the country from Flanders; but the enthusiasm which had once animated the inhabitants to arm against the house of Stuart had abated, and few recruits were obtained. Before that time, indeed, the townspeople appear to have become weary of the exactions and oppressions under which they had for many years groaned; and shortly after the death of the protector, in 1658, when it became apparent that Richard Cromwell's power was tottering, the inhabitants of Tewkesbury evinced perhaps greater anxiety for the restoration of royalty and order, than they had formerly shewn in favour of rebellion and anarchy.

Subsequently to the restoration of Charles the second, there are so few important public occurrences connected with Tewkesbury, that we shall no further proceed with its history in chronological order: an account of the charters, and other more recent events, will be given in future portions of this work.

CHAPTER VI.

HISTORICAL ACCOUNT OF THE GREAT LORDSHIP OR MANOR OF TEWKESBURY.



THE first proprietors of the Tewkesbury estate, whose names we find upon record, were Oddo and Doddo, the pious founders of the abbey; and from the time of the death of these noblemen, which happened about the year 725, we have little information which can be relied upon respecting the lordship for upwards of two centuries.

Hugh, a person of distinction in the Mercian kingdom, held the manor of Tewkesbury in 800; but the quarrels of the petty princes during the Heptarchy, kept the country in such a disturbed state, that the property of individuals was at all times insecure; and it is no subject for wonder, that the account of the proprietors of the lordship, which has been handed down to us, is not more perfect.

In the reign of Athelstan, about 980, Haylward Snow, a knight of considerable renown, and a descendant of King Edward the Elder, was possessed of this manor, as well as of the rich honour of Gloucester,* and many other great estates.

He was succeeded by Algar, his eldest son by his wife Algive, who appears to have lived to enjoy the property for only a very short period.

In the reign of Edward the Confessor, Brictric, the son of Algar, held the manor, and was in such favour with the king, that he sent him as ambassador to the court of Baldwin Earl of

* The honour of Gloucester contained 327 knights' fees and some fractions; that is, upwards of 222,360 acres.—*Archæologia*, v. 2, p. 355.

Flanders, where, unfortunately for Brictric, the earl's daughter, Maud, was so enamoured with him, that she endeavoured to prevail upon him to marry her. Brictric's refusal was eventually the cause of his ruin; for Maud afterwards married William Duke of Normandy, who obtained the crown of England in 1066, and the queen, in revenge for Brictric's refusal of her hand, induced the conqueror to effect his destruction. William was perhaps anxious to obtain so large an estate as that of Brictric, and with that stimulus, added to his wife's entreaties, he soon found some pretext for charging him with delinquency: he was seized at his manor-house at Hanley Castle, and sent a close prisoner to Winchester, where he shortly afterwards died without issue.

The king having confiscated the whole of Brictric's large possessions, bestowed the honour of Gloucester and manor of Tewkesbury upon queen Maud, and she retained both until her death in 1083.

When Domesday survey was taken, the manor of Tewkesbury was part of the crown demesnes, and the king held it in his own hands during the remainder of his life.

After the conqueror's death, his third son Henry claimed his mother's possessions in England; but William Rufus dispossessed him of them, and bestowed the whole of Brictric's estates in Gloucestershire upon Robert Fitz-Hamon,* son of Hamon Dentatus, Lord of Corboile in Normandy, as a reward for the zeal and activity with which he opposed the pretensions of that monarch's brother Robert to the crown of England, as well as for the services rendered to his father in the subjugation of this kingdom. Fitz-Hamon married Sybil, daughter of Roger de Montgomery, Earl of Shrewsbury, by whom he had

* Robert Fitz-Hamon, who was a gentleman of the bedchamber to William Rufus, made a descent into South Wales in the year 1091, slew Rhys ap Tudor, its last prince, and conquered Glamorganshire.—He is styled, in the charters which he granted, "Sir Robert Fitz-Hamon, by the grace of God, Prince of Glamorgan, Earl of Corboile, Baron of Thorigny and Granville, Lord of Gloucester, Bristol, Tewkesbury, and Cardiff, Conqueror of Wales, near kinsman to the King, and general of his Highness's army in France."

four daughters, viz. Mabel, Hawise, Cicely and Amice. He was wounded in the retaking of Falaize, in Normandy, and died soon afterwards, in 1107; though William of Malmesbury tells us, that, having received a blow on his head with a pole, he lived for a long time distracted.

King Henry the first, being unwilling that so great an estate as the honour of Gloucester should be divided amongst females, made Hawise abbess of Winchester, Cicely abbess of Shaftesbury, married Amice to the Earl of Brittany, and, in 1109, united Mabel* to his natural son Robert, whom he created Consul and Earl of Gloucester,† who rebuilt great

* There is a curious poetical account of the king's wooing this lady for his son, in Robert of Gloucester's Chronicle, which is thus abridged in the Glossary to Peter Langtoft's Chronicle: "One of the grettest lordes of Englonde, execept the kyng, callede Robert le figh Haym. For he lefte his bodi buried at Tewkesbury, for he rered that abbey hym selfe. He hadde a doughter and his heire called Maboly. Kynge Henry thoght to marry his bastard son Robert to hir, and this gentille damycelle seide nay, that hit were not sittyng [f. fittyng] to mary suche aman, that bare no name but only Robard. Then the kynge seide, that his son schulde haue a name. And bycause hir name was Maboly le Fizhaym, his name schulde Robert le Fiz Roy. Nay, quoth she, what name shalleoure children bere betwene hym and me? Par ma fey, seide the kyng, then he shalle haue aname, his name shalbe, Robert Erle of Gloucester, and I geve hym the Erledome for thy sake, and to him and to youre bothes heires. Then this damycelle thanked hym, and then the mariage was done. And this was the first Erle of Gloucester."

† Robert, whose mother was Nesta, daughter of Rhys ap Tudor, Prince of South Wales, and who was born about the year 1090, strenuously supported the cause of Queen Matilda against the usurpation of Stephen, and, during every reverse of fortune, preserved the most unshaken loyalty to his sovereign. He was also distinguished above his cotemporaries by his love of science and literature, and by his patronage of learned men: to him William of Malmsbury dedicated his history, and if no other circumstance entitled him to the admiration of posterity, this alone would consecrate his name to immortality. Lord Lyttleton justly eulogises this nobleman, who, he says, "had no inconsiderable tincture of learning, and was the patron of all who excelled in it; qualities rare at all times in a nobleman of his high rank, but particularly in an age when knowledge and valour were thought incompatible, and not to be able to read was a mark of nobility. He was unquestionably the wisest man of those times; and his virtue was such, that even those times could not corrupt it. If, when the nation was grown equally tired of Matilda and of Stephen, he had aspired to obtain the crown

part of the castle at Bristol, and the whole of Cardiff Castle. He died of a fever at Gloucester, on the 31st of October, 1147, in his 57th year, and was buried at Bristol, in the centre of the choir of a chapel dedicated to the Virgin Mary in St. James's priory, (now the parish church of St. James,) under a tomb of green jasper. Robert left four sons, viz. William, Roger, Hamon, and Philip, and one daughter named Maud.

William, son and heir of Robert, succeeded him, and married Hawise, daughter of the Earl of Leicester. He died in 1173, and was buried in the abbey of Keynsham, Somersetshire, which he had founded in memory of his son Robert, who died in 1166. He left one son, named Roger, who, taking holy orders, became a bishop; and three daughters, viz. Mabel, Amice and Isabel.

King Richard the first, gave Isabel, the youngest daughter, in marriage, and with her the earldom of Gloucester and lordship of Tewkesbury, to his brother John, Earl of Cornwall, surnamed Lackland, afterwards King of England. Soon after the accession of John to the crown, in 1199, having no issue, he divorced Isabel on the plea of barrenness; and in 1213 bestowed her in marriage (or, as some historians say, sold her for 20,000 marks,) to

Geoffrey de Mandeville,* Earl of Essex: the king, however, retained in his own hands the town of Bristol, and the Glou-

for himself, he might very possibly have gained it from both: but he thought it less glorious to be a king, than to preserve his fidelity and honour inviolate. He seems to have acted only from the purest and noblest principles of justice and duty, without pride, without passion, without any private views or selfish ambition: and to this admirable temper of mind he joined all the address and extensive abilities, that are particularly necessary for the head of a party, who must connect and keep together great numbers of independent persons, held by no regular bond of obedience, conciliate their different passions and interests, endure their absurdities, sooth their ill-humour, manage their pride, and establish an absolute authority over them, without seeming to exercise any, but that of persuasion."—*Lytt. Life of Hen. II.*

* This Geoffrey de Mandeville, or, as he is sometimes called, Geoffrey Fitz-Peter, was one of the twenty-five barons who signed, and compelled King John to sign, the great charter of English liberties, at Runnymede.

cestershire estate, part of her inheritance, till the year 1215, when he resigned those territories to Geoffrey, who was killed at a tournament in London the next year. Isabel, in the same king's reign, married

Hugh or Hubert de Burgh, Earl of Kent, chief justice of England, who having on several occasions made himself obnoxious to the king, and unpopular with the citizens of London, was at length committed to the tower. He died in 1243, having long survived his wife, as she died in 1218, at Banstead, Surrey, and was buried at the friary in Holborn.

Almeric Montfort, the nephew of Isabel, and son of the Earl of D'Evereux in Normandy, by Mabel, eldest daughter of Earl William, succeeded to the honour of Gloucester, &c. He married Millicent, daughter of Sir Hugh Gournay, and died about 1221, without issue, and was buried at Keynsham.

Gilbert de Clare, son and heir of Richard de Clare,* Earl of Hertford, who had married Amice, the second daughter of the said Earl William, was then admitted to the honours of Gloucester and Glamorgan, and the lordships annexed, as his legal inheritance. He was the first Earl of Gloucester and Hertford, both which earldoms he held jointly. He married Isabel, third daughter of William Marshall, Earl of Pembroke, and dying in 1230, was buried in the middle of the chancel of Tewkesbury church; leaving three sons, Richard, William and Gilbert, and three daughters, Amice, Agnes and Isabel. His countess afterwards married Richard, brother to King Henry the third, and died in 1239. She was buried at Beaulieu in

* Richard was descended from Richard de Clare, who came over with William the Conqueror, and was eldest son to the Earl of Brian in Normandy. The elder Richard was one of the chief justices of England in that king's reign, and was seised of thirty-eight manors in Surrey, thirty-five in Essex, three in Cambridgeshire, three in Kent, one in Middlesex, one in Wilts, one in Devonshire, and ninety-five in Suffolk, of which Clare was the principal.—The first baron whose signature was affixed to that bulwark of British liberty, Magna Charta, was Richard de Clare, Earl of Hertford; and Gilbert de Clare, his son, who was afterwards Earl of Gloucester and Hertford, was also among these ancient assertors of the rights and privileges of Englishmen.

Hampshire; but her heart was sent, according to her own request, in a silver cup to her brother, then abbot of Tewkesbury, to be interred before the high altar.

Richard de Clare the second, eldest son and heir of Gilbert, succeeded his father in his titles and estates, and married Maud, daughter of the Earl of Lincoln. He died July 14, 1262, at Emersfield, in Kent: his bowels were buried at Canterbury, his heart in the church of Tunbridge,* and his body on the right hand of his father in Tewkesbury abbey. He left three sons, Gilbert, Thomas and Benedict; and three daughters, Isabel, Margaret and Rose.

Gilbert de Clare the second succeeded to the titles and estates of his father Richard, at the age of seventeen. Like his father, he made a conspicuous figure in the long and embarrassed reign of Henry the third. He joined Simon Montfort, Earl of Leicester, and the other mutinous barons, against the king; and at another period, instigated the populace of London to arms; but for both rebellions he was pardoned by the king, and received again into favour. He was appointed one of the regency during the absence of King Edward; and twice entertained his majesty and his whole retinue in great splendour. About 1285 he was divorced from Alice de March, daughter of Guy Earl of Angoulesme and niece to King Henry the third, to whom he had been married in his father's life time. He afterwards, in 1289, married Joan d' Acres, second daughter of King Edward the first. He died at his castle at Monmouth, in 1295, and was buried at Tewkesbury, on the left hand of his grandfather, under a plain stone, with an inscription on brass round the edges; leaving issue, by his second wife, one son, Gilbert, an infant, and three daughters, Eleanor, Margaret and Elizabeth. Joan d' Acres, his relict, soon afterwards was married clandestinely to

Ralph de Monthermer, a person of no higher rank than an esquire, who experienced some difficulties in obtaining livery

* This earl introduced the friars of the order of St. Augustin into England, and founded a priory for them at Tunbridge, about 1211, and consecrated it to St. Mary Magdalen.—Weever.

of the lands and the title of Earl of Gloucester and Hertford: he was however summoned by that title to parliament from 1300 to 1307, but never by the same title after the death of his wife in 1307, or at least not after Gilbert, his son-in-law, came of age. In consequence of his great bravery in the Scottish wars, Edward the first showered upon him many benefits, and created him Duke of Athol. He had two sons by Joan d' Acres, Thomas and Edward, who were called the king's nephews; and married a sister of the Earl of Pembroke as his second wife.

Gilbert de Clare the third, son of the last Earl Gilbert, was but five years old at the time of his father's death, being born at Tewkesbury in 1291. When he came of age, he was summoned to parliament by the title of Earl of Gloucester and Hertford, and was also lord of Tewkesbury. He married Maud, daughter of John de Burgh, Earl of Ulster, and had issue one son, John, who died young, and was buried with his ancestors at Tewkesbury. He was actively employed, and in great esteem during his short life. In 1311 he was made keeper of England, and constituted guardian of the whole realm during his majesty's abode in Scotland; and when the king went to France, in 1313, he was appointed regent. The line of the Clares terminated in this earl, who fell at the battle of Bannockburn, in Scotland, in 1314, in the twenty-third year of his age.* His body was conveyed to Tewkesbury, and buried in

* By the inquisition taken after his death, it appears, he was seised of a park at Tewkesbury, containing eighty acres, whose underwood and herbage were worth 30s. a year; of four hundred and sixty acres of arable land at 4d. an acre; of eighty-five acres and a half of meadow at 2s.; and of fifty acres of pasture at 1s. an acre; of the rent of free tenants, £.12. 12s. 3d.; of a mill worth 20s.; of De-la-Home farm, *in mansu customaria*, which paid 11s. 8d.; of a messuage which the chaplain of Ashchurch held, worth 5s.; of a messuage which Walter — held, worth 4s.; and of the More farm, worth 16s. a year: that there were one hundred and fourteen burgages and a half and a quarter part of a burgage, which paid £.6. 7s. 10d.; and that the burgesses rented lands within the hundred of the said town, containing seventy acres and a half and a third part of an acre, at 35s. 5d.; and paid 20s. per annum for a custom called *fulstal*, and 12s. per annum for stallage; that there were forty-seven customary lands and a half, every

the Virgin Mary's chapel, on the left hand of his father. The lady Mand, his countess, died in 1315, and was buried on the left hand of her husband. As he left no issue, his three sisters became his co-heirs, and the earldoms of Gloucester and Hertford were divided.

Eleanor, his eldest sister, had the honour of Gloucester as her share, to which were added, on the death of her mother, in 1315, the manor and borough of Tewkesbury, Hanley Castle, and the rest of her mother's dowry. In 1321 she became the wife of that unfortunate favourite,

Hugh le Despenser the younger, son of the Earl of Winchester, who thus became possessed of the lordship of Tewkesbury, and bore the title of Earl of Gloucester, in right of his wife. He was lord chamberlain and chief favourite of King Edward the second; and being accused, with his father, of seducing the king and oppressing the state, he was, by the queen's orders, without trial, in 1326, drawn on a hurdle through the streets of Hereford, hanged on a gallows fifty feet high, and afterwards beheaded and quartered: his four quarters were sent to different parts of the kingdom, and his head fixed upon London bridge, or, according to Hume, sent to Winchester, and there set on a pole and exposed to the insults of the populace. Some parts of his body were privately buried in Tewkesbury church, near the lavatory of the high altar.* He left issue, by his wife Eleanor, three sons, Hugh,

one of which was a virgate, and held in villeinage; that the total value of the whole manor with the burgh, was £.131. 5s. 6d.: that there were two views of frank-pledge, at Michaelmas and Easter, and the certain fines were £.7. 12s.; that the fees and perquisites of the court were worth 100s.; the toll of the burgh 100s.; and the pleas and perquisites of the said burgh, by itself, 100s. per annum.

• Hugh le Despenser the younger, at his death, was seised of 59 manors, 28000 sheep, 1000 oxen, 1200 kine, 40 mares, 160 horses, 2000 hogs, 3000 bullocks, 40 tuns of wine, 600 bacons, 80 carcasses of Martinmas beef, 600 muttons in his larder, 10 tuns of cider, 36 sacks of wool, and a library of books, besides in armour, plate, jewels, and money, to the value of £.10,000 and upwards. One of the ancestors of the Despenser family was steward to William the Conqueror; and from an elder branch of that family is descended the present ducal family of Marlborough.

Edward and Gilbert. Upon his attainder, the custody of the manor was for a short time granted to Sir Maurice Berkeley. The second husband of Eleanor was

William la Zouch of Mortimer,* youngest son of Robert de Mortimer, lord of Richard's Castle, (surnamed la Zouch from his manor-house at Ashby-de-la-Zouch,) by whom she had one son, Hugh la Zouch. William Lord la Zouch died in 1335, and was buried in the middle of the Virgin Mary's chapel at Tewkesbury. Eleanor, his widow, died in 1337, when Hugh de Audley, her sister Margaret's husband, was created Earl of Gloucester;† but

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manded the rear of the English army in 1373, during its most fatiguing and perilous march from Calais to Bourdeaux. His eldest son, named Edward, died in his youth, at Cardiff, but was conveyed to Tewkesbury, where he was buried with his ancestors, and also an infant brother and sister. Edward died in 1375, at Cardiff Castle, leaving issue a son, named Thomas, and three daughters, Elizabeth, Anne and Margaret; and was buried on the south side of Tewkesbury church, near the chancel, where his wife, in memory of her lord, built the chapel of the Holy Trinity.

Elizabeth, his countess, continued in widowhood thirty-three years, and kept for her dowry, Tewkesbury, Hanley Castle, Fairford, &c. She died in 1409, and was buried at Tewkesbury, on the left of her husband. She had the pain to survive her son, Thomas le Despenser, who, in right of his mother, was Lord Burghersh: he married Constance, daughter of Edmund de Langley, Duke of York, son of King Edward the third, and was created Earl of Gloucester, 21 Richard II. in respect of his descent from Eleanor the wife of Hugh le Despenser the younger. Having associated with other noblemen to dethrone Henry the fourth, and being taken at Bristol, he was attainted and there executed in 1400; and afterwards buried in the middle of the choir of Tewkesbury church, under a lamp that burned before the host. He left issue one son, Richard, and two daughters, Elizabeth and Isabel, but since his attainder the Earldom of Gloucester has not been revived. Upon the death of the Countess Elizabeth, the estates possessed by her in dowry, devolved to her grandson,

Richard le Despenser, only son of Thomas le Despenser, Earl of Gloucester, then a minor. He died in 1414, in the eighteenth year of his age, while he was under the guardianship of Edmund Duke of York, who had married him to Elizabeth, eldest daughter of Ralph Neville, Earl of Westmoreland. He left no issue; and was buried at Tewkesbury, on the left hand of his father.

Isabel le Despenser, his youngest sister, became baroness of Tewkesbury, and succeeded to the estates, (Elizabeth, the

eldest, having died in her infancy). She was married at Tewkesbury, in 1411, by Abbot Parker, when but eleven years of age, to

Richard Beauchamp, the fourth of that name, Lord Abergavenny, afterwards Earl of Worcester, son and heir of William Lord Beauchamp. He, in right of his wife, had livery of the manor of Tewkesbury, 2 Hen. V. This Richard Beauchamp, in 1421, at the seige of Meaux, in France, was struck on his side by a stone cast from a sling, and soon afterwards died, leaving an only daughter Elizabeth,* and was buried at Tewkesbury on the 25th of April following, near the founder's chapel, where the Lady Isabel, his countess and widow, built a chapel, in 1438, in memory of him.† Afterwards, by a dispensation from the pope, she married his cousin-german,

Richard Beauchamp, the fifth Earl of Warwick, who was tutor to King Henry the sixth, and governor of France and Normandy. He died at Rouen in 1439, and was buried at Warwick; leaving issue by his said wife Isabel, one son and one daughter, Henry and Anne. The lady Isabel died on the 26th of December 1439, and was buried, with great funeral pomp, at Tewkesbury, near the chapel which she had built, on the right hand of her father, 13th Jan. 1439, (under a carved marble stone,) by Thomas Plufford, bishop of Hereford, her confessor; William Bristow, abbot of Tewkesbury; and John, abbot of Winchcomb.

Henry Beauchamp, Earl of Warwick, son of Richard, by Isabel, the heiress of the Despenser family, who was about fourteen years old at his father's death, inherited his mother's Gloucestershire estates. In his father's life time, when he was not ten years of age, being then called Lord le Despenser,

* This Elizabeth was married to Edward Neville, fourth son of Ralph Earl of Westmoreland, who was the first Baron Abergavenny of that family; and from her has lineally descended the present noble families of Abergavenny and Westmoreland, and collaterally that of le Despenser.

† This nobleman was one of the most considerable persons in the kingdom in the fifteenth century. He died possessed of an estate which was valued at no less a sum than eight thousand six hundred and six marks, eleven shillings and eleven pence half-penny.

he married Cicely, daughter of Richard Neville, Earl of Salisbury, whose portion was 4700 marks. He was crowned king of the Isle of Wight by Henry the sixth, and at the age of nineteen was created Duke of Warwick, and declared premier Earl of England. He had the castle of Bristol given him, and the islands of Guernsey and Jersey, and the patronage of the church and priory of St. Mary Magdalen, at Goldcliff, with licence to annex it to the church of Tewkesbury. He died on the 11th of June 1446, in the twenty-second year of his age, at his castle at Hanley, and was buried in the middle of Tewkesbury choir. His duchess afterwards married John Lord Tiptoft, Earl of Worcester, and, dying in 1450, was also buried at Tewkesbury. The Duke of Warwick had issue, by his wife Cicely, one daughter,

Anne, who died seised of the manor of Tewkesbury, at the age of six years, having survived her father but four years. At her death, her aunt, (sister to the above duke,)

Anne, succeeded to the great united inheritances of the Despencers and Beauchamps. She was born in 1429, and was the wife of

Richard Neville, Earl of Salisbury, who after his marriage was created Earl of Warwick, and generally called "the stout Earl of Warwick," and "the King-Maker;" for Henry the sixth and Edward the fourth held the crown by turns, as this earl favoured or opposed. He was killed in the battle of Barnet Field, fighting for the house of Lancaster, April 14, 1471.*

* Warwick was in fortune, power, influence and integrity, the greatest subject that ever appeared in England; his generosity and liberality were beyond example; his abilities, both as a soldier and a politician, were of the first rank; and he would more effectually have served the royal house of Lancaster, had he not unfortunately been connected with treacherous friends and deceitful relations.—We are told, as a proof of the hospitality of this nobleman, and of the simplicity of the manners of the age in which he flourished, that any soldier who had fought under his banners, might go into the kitchen and take away as much meat as he could carry off on the point of his dagger. Not less than thirty thousand persons are supposed to have daily lived at his board, in the different manors and castles which he possessed; and Baker informs us, that his household consumed daily six oxen at breakfast, besides other provisions in proportionate quantities.

After the fall of this renowned earl, Anne, his countess, was forced to abscond, and was reduced to great distress. King Edward would have seized on her estates, had not her daughters (Isabel and Anne) been his sisters-in-law; but he put those ladies in possession of them all, by a partition of the inheritance between them,* and an act of parliament, in 1473, confirmed that allotment. The poor Countess Anne was afterwards taken and thrown into prison, by her son-in-law, King Richard the third.

* Anne, the youngest daughter of Richard Neville, Earl of Salisbury and Warwick, was first betrothed, or, as some say, married to Edward Prince of Wales, son of King Henry the sixth, who was taken prisoner at the battle of Tewkesbury, and afterwards murdered by his unfeeling captors. She subsequently married the Duke of Gloucester, who was afterwards King Richard the third, and had issue by him Edward, (though by some he is called George,) Prince of Wales, who died in 1484, aged about seven years, and not long before his mother, who is said to have been poisoned by her husband, Richard, to facilitate his intended marriage with his niece Elizabeth, daughter to King Edward the fourth, and afterwards queen to King Henry the seventh.—Walpole, in his *Historic Doubts*, transcribes a curious passage from the *Chronicle of Croyland*, respecting the marriage of Richard Duke of Gloucester, with Anne Neville: from this account it appears that she had only been betrothed to Edward Prince of Wales; and that when Gloucester desired her for his wife, Clarence, unwilling to share so rich an inheritance with his brother, concealed the lady, but Gloucester was too alert for him, and discovered her in the dress of a cook-maid in London, and removed her to the sanctuary of St. Martin's le Grand. The brothers pleaded each his cause in person, before the king in council, in the year 1473; and he settled their difference by bestowing the maiden (as she is there termed) on Gloucester; and parting the estate between Anne and Clarence.—Who can peruse the account of this extraordinary marriage of Richard, without the beautiful passage of Shakspeare, on the subject, recurring to his mind?—

“ Was ever woman in this humour woo'd ?

“ Was ever woman in this humour won ?—

“ Hath she forgot already that brave prince,

“ Edward, her lord, whom I, some three months since,

“ Stabb'd in my angry mood at Tewkesbury ?”—*K. Rich. III.*

It will be observed, that the ambitious views of the Earl of Warwick, in marrying his eldest daughter, Isabel, to the Duke of Clarence; and his youngest, Anne, to Edward Prince of Wales, were entirely frustrated. By these politic alliances, he thought to have secured the succession of the crown to his own family, whatever might have been the issue of the contest between the rival roses; for by these marriages of his children, he became equally allied to the Yorkists and Lancastrians.

Isabel, the eldest of these daughters, married George Duke of Clarence, (brother to king Edward the fourth,) and had the manor of Tewkesbury included in her share. She died in child-bed, or, as others say, by poison, on the 22d December, 1476, aged twenty-five, at Warwick, and her body was brought to Tewkesbury, on the 4th of January, for interment.

George Duke of Clarence, who derived from his wife Isabel the title of Earl of Warwick and Salisbury, held the manor of Tewkesbury after the countess's death; but falling under the displeasure of his brother, King Edward the fourth, he was imprisoned in the tower, attainted of high treason in 1477, and shortly afterwards executed. Historians have generally asserted that he was drowned in a butt of Malmsey wine: the utter improbability of such a mode of execution, precludes, however, acquiescence in the popular rumour.* His body is said to have been conveyed to Tewkesbury, and buried with that of his duchess. He left one son, Edward,† and one daughter, Margaret.‡

Edward Plantagenet, Earl of Warwick, and heir to the great lordship of Tewkesbury, (during whose minority the stewardship of the lordship, hundred and park was granted by the king to Richard Lord Beauchamp,) was seized and imprisoned by his tyrannic uncle, Richard the third, in the beginning of his reign; removed for safer custody to the tower, by his cautious cousin, Henry the seventh, and most inhumanly beheaded, in 1499, for a pretended conspiracy, when about twenty-five years old—the king having for some time viewed him with a jealous eye, he being the only male heir of the house of York. This innocent youth had been stripped of all

* “Whoever can admit of so ridiculous an account, may as well suppose that his executioners crammed him in at the bung-hole.”—*Spelman*.

† Leland asserts, that the Duke of Gloucester had another son, named Richard, who is said to have been poisoned in 1476, the same year in which his mother died.

‡ Margaret was married to Sir Richard Pole, and was beheaded, 33 Hen. VIII. upon an act of attainder, passed against her for corresponding with her son, Cardinal Reginald Pole, then declared a rebel and an enemy to his country.

his inheritance, ten years before, by a resumption, which justice was said to demand, in favour of his unfortunate grandmother Anne, Countess of Warwick and Salisbury. This act of parliament was repealed, and by a statute, 3 Hen. VII. it was enacted that all the estates, of which that countess had been disseised, and which had been shared between her daughters, should be restored to her, with power to alienate all or any part thereof. The object of this act of restitution soon appeared; for the old countess was obliged, in the same year, to execute a feoffment, granting and conveying to the king, and his issue male, in perpetuity, all the restored estates, viz. Warwick, and twelve other manors in Warwickshire; the city of Worcester, Hanley Castle, Upton-upon-Severn, Elmley-Castle, Droitwich, and thirteen other manors in Worcestershire; Tewkesbury, Fairford, Stoke Orchard, Whittington, Sodbury, Tredington, Pamington, Fiddington, Northway, the Mythe, King's Barton near Bristol, Barton Hundred, Kemerton, Chedworth and Lidney, in Gloucestershire; Glamorgan, &c. in Wales; Walsall, and four other manors, in Staffordshire; Barnard-Castle, in the bishopric of Durham; considerable lordships and estates in sixteen other counties; together with the islands of Guernsey, Jersey and Sark. This was a base and selfish manœuvre of Henry the seventh; for he thus reduced to a state of dependence and poverty the children of the house of Clarence, under pretence of restitution to their grandmother, and yet without entrusting power in the hands of the old countess; to whom he assigned the little manor of Sutton, in Warwickshire, and some further pension, for her maintenance during life.

The lordship of Tewkesbury remained annexed to the crown from 4 Henry VII. until 1 Edward VI.; during which time it was held under stewards.*

* Richard Nanfan, esq. of Birtsmorton, who was made sheriff of Worcestershire by King Henry the seventh, for the great services he rendered the house of Lancaster during its struggle for sovereign power, was also by that monarch appointed steward of the lordship of Tewkesbury, and keeper of the Park and Lodge there.—*Rolls of Parliament*, v. 6. p. 360.

cestershire estate, part of her inheritance, till the year 1215, when he resigned those territories to Geoffrey, who was killed at a tournament in London the next year. Isabel, in the same king's reign, married

Hugh or Hubert de Burgh, Earl of Kent, chief justice of England, who having on several occasions made himself obnoxious to the king, and unpopular with the citizens of London, was at length committed to the tower. He died in 1243, having long survived his wife, as she died in 1218, at Banstead, Surrey, and was buried at the friary in Holborn.

Almeric Montfort, the nephew of Isabel, and son of the Earl of D'Evereux in Normandy, by Mabel, eldest daughter of Earl William, succeeded to the honour of Gloucester, &c. He married Millicent, daughter of Sir Hugh Gournay, and died about 1221, without issue, and was buried at Keynsham.

Gilbert de Clare, son and heir of Richard de Clare,* Earl of Hertford, who had married Amice, the second daughter of the said Earl William, was then admitted to the honours of Gloucester and Glamorgan, and the lordships annexed, as his legal inheritance. He was the first Earl of Gloucester and Hertford, both which earldoms he held jointly. He married Isabel, third daughter of William Marshall, Earl of Pembroke, and dying in 1230, was buried in the middle of the chancel of Tewkesbury church; leaving three sons, Richard, William and Gilbert, and three daughters, Amice, Agnes and Isabel. His countess afterwards married Richard, brother to King Henry the third, and died in 1239. She was buried at Beaulieu in

* Richard was descended from Richard de Clare, who came over with William the Conqueror, and was eldest son to the Earl of Brian in Normandy. The elder Richard was one of the chief justices of England in that king's reign, and was seised of thirty-eight manors in Surrey, thirty-five in Essex, three in Cambridgeshire, three in Kent, one in Middlesex, one in Wilts, one in Devonshire, and ninety-five in Suffolk, of which Clare was the principal.—The first baron whose signature was affixed to that bulwark of British liberty, Magna Charta, was Richard de Clare, Earl of Hertford; and Gilbert de Clare, his son, who was afterwards Earl of Gloucester and Hertford, was also among these ancient assertors of the rights and privileges of Englishmen.

Hampshire; but her heart was sent, according to her own request, in a silver cup to her brother, then abbot of Tewkesbury, to be interred before the high altar.

Richard de Clare the second, eldest son and heir of Gilbert, succeeded his father in his titles and estates, and married Maud, daughter of the Earl of Lincoln. He died July 14, 1262, at Emersfield, in Kent: his bowels were buried at Canterbury, his heart in the church of Tunbridge,* and his body on the right hand of his father in Tewkesbury abbey. He left three sons, Gilbert, Thomas and Benedict; and three daughters, Isabel, Margaret and Rose.

Gilbert de Clare the second succeeded to the titles and estates of his father Richard, at the age of seventeen. Like his father, he made a conspicuous figure in the long and embarrassed reign of Henry the third. He joined Simon Montfort, Earl of Leicester, and the other mutinous barons, against the king; and at another period, instigated the populace of London to arms; but for both rebellions he was pardoned by the king, and received again into favour. He was appointed one of the regency during the absence of King Edward; and twice entertained his majesty and his whole retinue in great splendour. About 1285 he was divorced from Alice de March, daughter of Guy Earl of Angoulesme and niece to King Henry the third, to whom he had been married in his father's life time. He afterwards, in 1289, married Joan d' Acres, second daughter of King Edward the first. He died at his castle at Monmouth, in 1295, and was buried at Tewkesbury, on the left hand of his grandfather, under a plain stone, with an inscription on brass round the edges; leaving issue, by his second wife, one son, Gilbert, an infant, and three daughters, Eleanor, Margaret and Elizabeth. Joan d' Acres, his relict, soon afterwards was married clandestinely to

Ralph de Monthermer, a person of no higher rank than an esquire, who experienced some difficulties in obtaining livery

* This earl introduced the friars of the order of St. Augustin into England, and founded a priory for them at Tunbridge, about 1211, and consecrated it to St. Mary Magdalen.—*Weever*.

of the lands and the title of Earl of Gloucester and Hertford: he was however summoned by that title to parliament from 1300 to 1307, but never by the same title after the death of his wife in 1307, or at least not after Gilbert, his son-in-law, came of age. In consequence of his great bravery in the Scottish wars, Edward the first showered upon him many benefits, and created him Duke of Athol. He had two sons by Joan d' Acres, Thomas and Edward, who were called the king's nephews; and married a sister of the Earl of Pembroke as his second wife.

Gilbert de Clare the third, son of the last Earl Gilbert, was but five years old at the time of his father's death, being born at Tewkesbury in 1291. When he came of age, he was summoned to parliament by the title of Earl of Gloucester and Hertford, and was also lord of Tewkesbury. He married Maud, daughter of John de Burgh, Earl of Ulster, and had issue one son, John, who died young, and was buried with his ancestors at Tewkesbury. He was actively employed, and in great esteem during his short life. In 1311 he was made keeper of England, and constituted guardian of the whole realm during his majesty's abode in Scotland; and when the king went to France, in 1313, he was appointed regent. The line of the Clares terminated in this earl, who fell at the battle of Bannockburn, in Scotland, in 1314, in the twenty-third year of his age.* His body was conveyed to Tewkesbury, and buried in

* By the inquisition taken after his death, it appears, he was seised of a park at Tewkesbury, containing eighty acres, whose underwood and herbage were worth 30s. a year; of four hundred and sixty acres of arable land at 4d. an acre; of eighty-five acres and a half of meadow at 2s.; and of fifty acres of pasture at 1s. an acre; of the rent of free tenants, £.12. 12s. 3d.; of a mill worth 20s.; of De-la-Home farm, *in mansu customaria*, which paid 11s. 8d.; of a messuage which the chaplain of Ashchurch held, worth 5s.; of a messuage which Walter — held, worth 4s.; and of the More farm, worth 16s. a year: that there were one hundred and fourteen burgages and a half and a quarter part of a burgage, which paid £.6. 7s. 10d.; and that the burgesses rented lands within the hundred of the said town, containing seventy acres and a half and a third part of an acre, at 35s. 5d.; and paid 20s. per annum for a custom called *fulstal*, and 12s. per annum for stallage; that there were forty-seven customary lands and a half, every

the Virgin Mary's chapel, on the left hand of his father. The lady Maud, his countess, died in 1315, and was buried on the left hand of her husband. As he left no issue, his three sisters became his co-heirs, and the earldoms of Gloucester and Hertford were divided.

Eleanor, his eldest sister, had the honour of Gloucester as her share, to which were added, on the death of her mother, in 1315, the manor and borough of Tewkesbury, Hanley Castle, and the rest of her mother's dowry. In 1321 she became the wife of that unfortunate favourite,

Hugh le Despenser the younger, son of the Earl of Winchester, who thus became possessed of the lordship of Tewkesbury, and bore the title of Earl of Gloucester, in right of his wife. He was lord chamberlain and chief favourite of King Edward the second; and being accused, with his father, of seducing the king and oppressing the state, he was, by the queen's orders, without trial, in 1326, drawn on a hurdle through the streets of Hereford, hanged on a gallows fifty feet high, and afterwards beheaded and quartered: his four quarters were sent to different parts of the kingdom, and his head fixed upon London bridge, or, according to Hume, sent to Winchester, and there set on a pole and exposed to the insults of the populace. Some parts of his body were privately buried in Tewkesbury church, near the lavatory of the high altar.* He left issue, by his wife Eleanor, three sons, Hugh,

one of which was a virgate, and held in villeinage; that the total value of the whole manor with the burgh, was £.131. 5s. 6d.: that there were two views of frank-pledge, at Michaelmas and Easter, and the certain fines were £.7. 12s.; that the fees and perquisites of the court were worth 100s.; the toll of the burgh 100s.; and the pleas and perquisites of the said burgh, by itself, 100s. per annum.

* Hugh le Despenser the younger, at his death, was seised of 59 manors, 28000 sheep, 1000 oxen, 1200 kine, 40 mares, 160 horses, 2000 hogs, 3000 bullocks, 40 tuns of wine, 600 bacons, 80 carcasses of Martinmas beef, 600 muttons in his larder, 10 tuns of cider, 36 sacks of wool, and a library of books, besides in armour, plate, jewels, and money, to the value of £.10,000 and upwards. One of the ancestors of the Despenser family was steward to William the Conqueror; and from an elder branch of that family is descended the present ducal family of Marlborough.

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Edward and Gilbert. Upon his attainder, the custody of the manor was for a short time granted to Sir Maurice Berkeley. The second husband of Eleanor was

William la Zouch of Mortimer,* youngest son of Robert de Mortimer, lord of Richard's Castle, (surnamed la Zouch from his manor-house at Ashby-de-la-Zouch,) by whom she had one son, Hugh la Zouch. William Lord la Zouch died in 1335, and was buried in the middle of the Virgin Mary's chapel at Tewkesbury. Eleanor, his widow, died in 1337, when Hugh de Audley, her sister Margaret's husband, was created Earl of Gloucester;† but

* In the parliament holden in the fourth year of King Edward the third, "William le Zouch of Mortimer and Eleanor his wife, prayed to be restored to their lands in Glamorgan, &c. and the manor of Tewkesbury in Gloucestershire, being the inheritance of the said Eleanor, the which they, by the extort means of the late Roger Mortimer, Earl of March, were enforced to pass the same to the king by fine. In consideration of £.10,000 to the king, he restoreth them to their former estate."—(*Cotton's Tower Records*.) The family of Zouch of Haringworth was also, according to Sir Robert Atkyns, connected with Tewkesbury monastery: he says, "William Lord le Zouch of Haringworth lies buried in St. Mary's Chapel there." And Dugdale, in his *Baronage*, says, that Elizabeth, wife of William Lord le Zouch of Haringworth, by her testament, bearing date 1408, bequeathed her body to be buried in the abbey of Tewkesbury, where the corpses of her brothers lay interred, with twenty pounds to that house.

† In a recent work, entitled the *Stafford Peerage*, it is said, that from Lady Margaret de Audley, sole daughter and heir of Hugh de Audley by Margaret de Clare, who was grand-daughter of King Edward the first, and married to the Right Hon. Ralph Earl of Stafford, K. G. is descended his Grace the Duke of Wellington. It has been justly observed by Mr. Brewer, in his "*Delineations of Gloucestershire*," that, "if a striking instance be wanting of the instability of human grandeur—the evanescent nature of human power, it may be found in the depth of humility into which the chief line of the Clares, Earls of Gloucester; the Bohuns, Earls of Hereford; and the Staffords, Dukes of Buckingham; sank, before it was utterly extinguished." Roger Stafford, representative of the above illustrious houses, and descended from the blood-royal of England, was compelled, by the arbitrary government of Charles the first, to surrender his claim to the barony of Stafford, "because he had no lands or means" to support its dignity. Jane, his sister, the great grand-daughter of the mighty Edward Duke of Buckingham, was the wife of a joiner, at Newport, near Shiffnal, Shropshire, where she was living, his widow, in 1637, and her son, by trade was a cobbler!—*Fosbroke's Gloucestershire*, v. 2, p. 122.

Hugh le Despenser the third,* son of Hugh by Eleanor, succeeded his mother in the fine inheritance of Tewkesbury, Hanley Castle, Fairford, &c. (which was from this period separated from the honour of Gloucester,) and married Elizabeth, widow of Giles de Badlesmere, and daughter of William de Montacute, Earl of Salisbury. He died without issue in 1349, and was buried near the high altar in Tewkesbury church. His relict, Elizabeth, afterwards married

Guy O'Brien, knight, of Castle Walwaine, Pembroke-shire. By some he is said to have been of the noble family of Thomond, in Ireland; but others assert that he was of English extraction, and descended from a distinguished family in Devonshire, though he bore the arms of the Irish O'Briens. He died in 1390, and lies entombed in St. Margaret's chapel at Tewkesbury.† Elizabeth died in 1359, when her dowry, including the manor of Tewkesbury, Hanley Castle, Malvern Chase, &c. devolved to her first husband's nephew,

Edward le Despenser, eldest son of Edward, who was the second son of Hugh the younger, by Anne, daughter of Lord Ferrars. He married Elizabeth, only daughter and sole heiress of Lord Bartholomew de Burghersh, lord chamberlain to King Edward the third. Edward le Despenser was the tenth knight of the order of the garter, at its institution in 1350, and com-

* In 1336, Hugh le Despenser seized a Genoese vessel, valued at 14,300 marks, for which, as usual in those times, neither restitution was made, nor was any punishment inflicted on the criminals, as the government sometimes feared the plunderer, and sometimes connived at the offence.—*Rym. Fæd.*

† Sir Guy O'Brien was a person of great consideration in the reign of Edward the third. He was standard-bearer to that monarch in his last engagement with the French at Calais in 1347, and for his bravery on that occasion obtained a pension of two hundred marks a year during his life. He was a knight of the garter, and was constituted governor of St. Briavel's Castle and Warden of the Forest of Dean. He went twice as ambassador to Rome; was appointed admiral of the west in 1370; and was summoned to parliament among the barons of the realm, from 24 Edward III. to 13 Richard II. inclusive. Independently of his great benefactions to Tewkesbury abbey, he founded and endowed a chantry at Slapton, near Kingsbridge, Devon.

manded the rear of the English army in 1373, during its most fatiguing and perilous march from Calais to Bourdeaux. His eldest son, named Edward, died in his youth, at Cardiff, but was conveyed to Tewkesbury, where he was buried with his ancestors, and also an infant brother and sister. Edward died in 1375, at Cardiff Castle, leaving issue a son, named Thomas, and three daughters, Elizabeth, Anne and Margaret; and was buried on the south side of Tewkesbury church, near the chancel, where his wife, in memory of her lord, built the chapel of the Holy Trinity.

Elizabeth, his countess, continued in widowhood thirty-three years, and kept for her dowry, Tewkesbury, Hanley Castle, Fairford, &c. She died in 1409, and was buried at Tewkesbury, on the left of her husband. She had the pain to survive her son, Thomas le Despenser, who, in right of his mother, was Lord Burghersh: he married Constance, daughter of Edmund de Langley, Duke of York, son of King Edward the third, and was created Earl of Gloucester, 21 Richard II. in respect of his descent from Eleanor the wife of Hugh le Despenser the younger. Having associated with other noblemen to dethrone Henry the fourth, and being taken at Bristol, he was attainted and there executed in 1400; and afterwards buried in the middle of the choir of Tewkesbury church, under a lamp that burned before the host. He left issue one son, Richard, and two daughters, Elizabeth and Isabel, but since his attainder the Earldom of Gloucester has not been revived. Upon the death of the Countess Elizabeth, the estates possessed by her in dowry, devolved to her grandson,

Richard le Despenser, only son of Thomas le Despenser, Earl of Gloucester, then a minor. He died in 1414, in the eighteenth year of his age, while he was under the guardianship of Edmund Duke of York, who had married him to Elizabeth, eldest daughter of Ralph Neville, Earl of Westmoreland. He left no issue; and was buried at Tewkesbury, on the left hand of his father.

Isabel le Despenser, his youngest sister, became baroness of Tewkesbury, and succeeded to the estates, (Elizabeth, the

eldest, having died in her infancy). She was married at Tewkesbury, in 1411, by Abbot Parker, when but eleven years of age, to

Richard Beauchamp, the fourth of that name, Lord Abergavenny, afterwards Earl of Worcester, son and heir of William Lord Beauchamp. He, in right of his wife, had livery of the manor of Tewkesbury, 2 Hen. V. This Richard Beauchamp, in 1421, at the siege of Meaux, in France, was struck on his side by a stone cast from a sling, and soon afterwards died, leaving an only daughter Elizabeth,* and was buried at Tewkesbury on the 25th of April following, near the founder's chapel, where the Lady Isabel, his countess and widow, built a chapel, in 1438, in memory of him.† Afterwards, by a dispensation from the pope, she married his cousin-german,

Richard Beauchamp, the fifth Earl of Warwick, who was tutor to King Henry the sixth, and governor of France and Normandy. He died at Rouen in 1439, and was buried at Warwick; leaving issue by his said wife Isabel, one son and one daughter, Henry and Anne. The lady Isabel died on the 26th of December 1439, and was buried, with great funeral pomp, at Tewkesbury, near the chapel which she had built, on the right hand of her father, 13th Jan. 1439, (under a carved marble stone,) by Thomas Plufford, bishop of Hereford, her confessor; William Bristow, abbot of Tewkesbury; and John, abbot of Winchcomb.

Henry Beauchamp, Earl of Warwick, son of Richard, by Isabel, the heiress of the Despenser family, who was about fourteen years old at his father's death, inherited his mother's Gloucestershire estates. In his father's life time, when he was not ten years of age, being then called Lord le Despenser,

* This Elizabeth was married to Edward Neville, fourth son of Ralph Earl of Westmoreland, who was the first Baron Abergavenny of that family; and from her has lineally descended the present noble families of Abergavenny and Westmoreland, and collaterally that of le Despenser.

† This nobleman was one of the most considerable persons in the kingdom in the fifteenth century. He died possessed of an estate which was valued at no less a sum than eight thousand six hundred and six marks, eleven shillings and eleven pence half-penny.

he married Cicely, daughter of Richard Neville, Earl of Salisbury, whose portion was 4700 marks. He was crowned king of the Isle of Wight by Henry the sixth, and at the age of nineteen was created Duke of Warwick, and declared premier Earl of England. He had the castle of Bristol given him, and the islands of Guernsey and Jersey, and the patronage of the church and priory of St. Mary Magdalen, at Goldcliff, with licence to annex it to the church of Tewkesbury. He died on the 11th of June 1446, in the twenty-second year of his age, at his castle at Hanley, and was buried in the middle of Tewkesbury choir. His duchess afterwards married John Lord Tiptoft, Earl of Worcester, and, dying in 1450, was also buried at Tewkesbury. The Duke of Warwick had issue, by his wife Cicely, one daughter,

Anne, who died seised of the manor of Tewkesbury, at the age of six years, having survived her father but four years. At her death, her aunt, (sister to the above duke,)

Anne, succeeded to the great united inheritances of the Despencers and Beauchamps. She was born in 1429, and was the wife of

Richard Neville, Earl of Salisbury, who after his marriage was created Earl of Warwick, and generally called "the stout Earl of Warwick," and "the King-Maker;" for Henry the sixth and Edward the fourth held the crown by turns, as this earl favoured or opposed. He was killed in the battle of Barnet Field, fighting for the house of Lancaster, April 14, 1471.*

* Warwick was in fortune, power, influence and integrity, the greatest subject that ever appeared in England; his generosity and liberality were beyond example; his abilities, both as a soldier and a politician, were of the first rank; and he would more effectually have served the royal house of Lancaster, had he not unfortunately been connected with treacherous friends and deceitful relations.—We are told, as a proof of the hospitality of this nobleman, and of the simplicity of the manners of the age in which he flourished, that any soldier who had fought under his banners, might go into the kitchen and take away as much meat as he could carry off on the point of his dagger. Not less than thirty thousand persons are supposed to have daily lived at his board, in the different manors and castles which he possessed; and Baker informs us, that his household consumed daily six oxen at breakfast, besides other provisions in proportionate quantities.

After the fall of this renowned earl, Anne, his countess, was forced to abscond, and was reduced to great distress. King Edward would have seized on her estates, had not her daughters (Isabel and Anne) been his sisters-in-law; but he put those ladies in possession of them all, by a partition of the inheritance between them,* and an act of parliament, in 1473, confirmed that allotment. The poor Countess Anne was afterwards taken and thrown into prison, by her son-in-law, King Richard the third.

* Anne, the youngest daughter of Richard Neville, Earl of Salisbury and Warwick, was first betrothed, or, as some say, married to Edward Prince of Wales, son of King Henry the sixth, who was taken prisoner at the battle of Tewkesbury, and afterwards murdered by his unfeeling captors. She subsequently married the Duke of Gloucester, who was afterwards King Richard the third, and had issue by him Edward, (though by some he is called George,) Prince of Wales, who died in 1484, aged about seven years, and not long before his mother, who is said to have been poisoned by her husband, Richard, to facilitate his intended marriage with his niece Elizabeth, daughter to King Edward the fourth, and afterwards queen to King Henry the seventh.—Walpole, in his *Historic Doubts*, transcribes a curious passage from the *Chronicle of Croyland*, respecting the marriage of Richard Duke of Gloucester, with Anne Neville: from this account it appears that she had only been betrothed to Edward Prince of Wales; and that when Gloucester desired her for his wife, Clarence, unwilling to share so rich an inheritance with his brother, concealed the lady, but Gloucester was too alert for him, and discovered her in the dress of a cook-maid in London, and removed her to the sanctuary of St. Martin's le Grand. The brothers pleaded each his cause in person, before the king in council, in the year 1473; and he settled their difference by bestowing the maiden (as she is there termed) on Gloucester; and parting the estate between Anne and Clarence.—Who can peruse the account of this extraordinary marriage of Richard, without the beautiful passage of Shakspeare, on the subject, recurring to his mind?—

“ Was ever woman in this humour woo'd ?

“ Was ever woman in this humour won ?—

“ Hath she forgot already that brave prince,

“ Edward, her lord, whom I, some three months since,

“ Stabb'd in my angry mood at Tewkesbury ?”—*K. Rich. III.*

It will be observed, that the ambitious views of the Earl of Warwick, in marrying his eldest daughter, Isabel, to the Duke of Clarence; and his youngest, Anne, to Edward Prince of Wales, were entirely frustrated. By these politic alliances, he thought to have secured the succession of the crown to his own family, whatever might have been the issue of the contest between the rival roses; for by these marriages of his children, he became equally allied to the Yorkists and Lancastrians.

Isabel, the eldest of these daughters, married George Duke of Clarence, (brother to king Edward the fourth,) and had the manor of Tewkesbury included in her share. She died in child-bed, or, as others say, by poison, on the 22d December, 1476, aged twenty-five, at Warwick, and her body was brought to Tewkesbury, on the 4th of January, for interment.

George Duke of Clarence, who derived from his wife Isabel the title of Earl of Warwick and Salisbury, held the manor of Tewkesbury after the countess's death; but falling under the displeasure of his brother, King Edward the fourth, he was imprisoned in the tower, attainted of high treason in 1477, and shortly afterwards executed. Historians have generally asserted that he was drowned in a butt of Malmsey wine: the utter improbability of such a mode of execution, precludes, however, acquiescence in the popular rumour.* His body is said to have been conveyed to Tewkesbury, and buried with that of his duchess. He left one son, Edward,† and one daughter, Margaret.‡

Edward Plantagenet, Earl of Warwick, and heir to the great lordship of Tewkesbury, (during whose minority the stewardship of the lordship, hundred and park was granted by the king to Richard Lord Beauchamp,) was seized and imprisoned by his tyrannic uncle, Richard the third, in the beginning of his reign; removed for safer custody to the tower, by his cautious cousin, Henry the seventh, and most inhumanly beheaded, in 1499, for a pretended conspiracy, when about twenty-five years old—the king having for some time viewed him with a jealous eye, he being the only male heir of the house of York. This innocent youth had been stripped of all

* “Whoever can admit of so ridiculous an account, may as well suppose that his executioners crammed him in at the bung-hole.”—*Spelman*.

† Leland asserts, that the Duke of Gloucester had another son, named Richard, who is said to have been poisoned in 1476, the same year in which his mother died.

‡ Margaret was married to Sir Richard Pole, and was beheaded, 33 Hen. VIII. upon an act of attainder, passed against her for corresponding with her son, Cardinal Reginald Pole, then declared a rebel and an enemy to his country.

his inheritance, ten years before, by a resumption, which justice was said to demand, in favour of his unfortunate grandmother Anne, Countess of Warwick and Salisbury. This act of parliament was repealed, and by a statute, 3 Hen. VII. it was enacted that all the estates, of which that countess had been disseised, and which had been shared between her daughters, should be restored to her, with power to alienate all or any part thereof. The object of this act of restitution soon appeared; for the old countess was obliged, in the same year, to execute a feoffment, granting and conveying to the king, and his issue male, in perpetuity, all the restored estates, viz. Warwick, and twelve other manors in Warwickshire; the city of Worcester, Hanley Castle, Upton-upon-Severn, Ehmley-Castle, Droitwich, and thirteen other manors in Worcestershire; Tewkesbury, Fairford, Stoke Orchard, Whittington, Sodbury, Tredington, Pamington, Fiddington, Northway, the Mythe, King's Barton near Bristol, Barton Hundred, Kemerton, Chedworth and Lidney, in Gloucestershire; Glamorgan, &c. in Wales; Walsall, and four other manors, in Staffordshire; Barnard-Castle, in the bishopric of Durham; considerable lordships and estates in sixteen other counties; together with the islands of Guernsey, Jersey and Sark. This was a base and selfish manœuvre of Henry the seventh; for he thus reduced to a state of dependence and poverty the children of the house of Clarence, under pretence of restitution to their grandmother, and yet without entrusting power in the hands of the old countess; to whom he assigned the little manor of Sutton, in Warwickshire, and some further pension, for her maintenance during life.

The lordship of Tewkesbury remained annexed to the crown from 4 Henry VII. until 1 Edward VI.; during which time it was held under stewards.*

* Richard Nanfan, esq. of Birtsmorton, who was made sheriff of Worcestershire by King Henry the seventh, for the great services he rendered the house of Lancaster during its struggle for sovereign power, was also by that monarch appointed steward of the lordship of Tewkesbury, and keeper of the Park and Lodge there.—*Rolls of Parliament*, v. 6. p. 360.

King Edward the sixth, in the first year of his reign, granted the manor of Tewkesbury to his uncle, Sir Thomas Seymour, afterwards created Lord Seymour of Sudeley.* He held it till his attainder, when it reverted to the crown, and was again placed under stewards.

James the first, by letters patent, dated March 23, 1609, in consideration of the sum of £.2453. 7s. 4½d. sold to the corporation of Tewkesbury the entire manor and borough, including Warwick's and Spencer's lands, and the fee originally held by the monastery of the honour of Gloucester, under the name of the Abbey Fee or Barton Manor,† and the same has ever since remained vested in that body.‡

* He was the third son of Sir John Seymour, of Wolf Hall, Wilts, by Margaret, daughter of Sir H. Wentworth, of Nettlestead, Suffolk, and was brother of the Duke of Somerset, lord protector. He had served with great merit against the French in the wars during the reign of Henry the eighth; was appointed master of the ordnance for life, and was lord high admiral of England. In 1547, after an ineffectual proposal of marriage to the Princess Mary, he married Queen Catherine Parr, widow of Henry the eighth. In the sequestered castle of Sudeley, the widowed queen hoped to have enjoyed that happiness which a crown had failed to confer; but her hopes were short-lived—she escaped the capricious cruelty of a kingly tyrant, to fall a victim to the unprincipled and heartless ambition of a subject. The admiral is supposed to have aspired to the hand of the Princess Elizabeth; but Catherine Parr, while living, formed an insurmountable obstacle to the accomplishment of that project; and the unhappy lady being delivered of a daughter, and dying shortly afterwards, her husband was strongly suspected of having poisoned her. Indeed, she herself suspected some unfair treatment, and on her death-bed severely reproached the admiral for his unkind usage. She died Sept. 5, 1548, and was buried in Sudeley chapel, Gloucestershire, where her body was found, wrapped in cerecloth, and almost perfect, in 1782. In consequence of his addresses to Princess Elizabeth being refused, and every other path to power being obstructed, he pursued his ambitious views by attempting to overthrow his brother's authority; and laboured to gain the young king to his interest with so much effect, that the protector, for his own security, consented to his impeachment. He was beheaded March 20, 1549, for high treason.

† "From a charter in my possession, dated May 27, 3 Edw. VI. at a view of frank-pledge for his majesty's manor of Tewkesbury Barton a nuper Monasterie, Geo. Hatton is mentioned as steward; Thomas Witherston, deputy; and Thomas Sternhold, esq. supervisor of his majesty's county of Gloucester."—*Fosbroke's Gloucestershire*.

‡ See Appendix, No. 6.

CHAPTER VII.

SURVEY OF THE MANOR, TRANSLATED FROM DOMESDAY-BOOK.

THE record called Domesday* is the most valuable piece of antiquity possessed by any nation; it still remains fair and legible, and is deposited in the chapter-house at Westminster, where it may be consulted on paying the proper officer a fee of six shillings and eight-pence, and four-pence for every line transcribed. This record was printed under the auspices of

* Domesday-Book is an ancient record or register, drawn up by order of King William the Conqueror, and contains a general survey of nearly the whole of the landed property of the kingdom. It was begun in the year 1080, and completed in 1086: commissioners were sent into every county, and juries summoned and impannelled in each hundred, out of all orders of freemen, from barons down to the lowest farmers, to give in upon oath to the commissioners, by verdict or presentment, due information, for the faithful and impartial execution of it. In the description of the manors and possessions it is generally stated, how many hides or carucates the land is gelded or taxed at—whose it was in the time of King Edward—who the present owner and sub-tenants—what and how much arable land, meadow, pasture and wood, there is—how much in demesne, how much in tenantry, and what number of ploughs it will keep—what mills and fishings—how many freemen, sockmen, coliberti, cotarii, bordarii, radmanni, radchenistres, villanes, maid-servants and bondmen, there are—in some instances, what young cattle, sheep, working horses, &c. are upon the land, and how many hogs the woods will support—sometimes what churches there are, and how many priests or parsons—what customary rents, prestations and services, are to be paid and rendered out of the lands—what has been added to the manor, what withheld from it, and by whom—what land is waste, what the whole was let for in the time of King Edward—and what the net rent, whether it was too dear rented, or whether it might be improved.—*Kelham's Domesday-Book Illustrated.*

his late majesty, George the third, at the expense of the nation, for the use of the members of both houses of parliament and the public libraries.

In this survey, Tewkesbury appears under the title *Terra Regis*; * and the following extensive possessions are described in it as belonging to this manor.

In Tewkesbury (*Teodechesberie*) there were in King Edward's time fourscore and fifteen hides.† Of these there are forty-five in the demesne, and they were free from all royal service and tax, except service to the lord of the manor..

In the capital manor there were twelve ploughs† in the

* Mr. Madox, in his History of the Exchequer, says, "the great and memorable survey of lands holden in demesne within this realm, which was finished in 1086, and is called Domesday-Book, sheweth, under the title *Terra Regis*, what and which the demesnes of the crown were, at that time, and in the time of King Edward the Confessor; and hath been ever since counted the great index, to distinguish the king's demesnes from his escheats and other lands, and from the lands of other men."—And Mr. Brady, in his Treatise of English Burghs, observes, that what is recorded under the title *Terra Regis*, "is said to be in ancient demesne, and consequently entitled to certain privileges, such as being exempted from all tolls in markets, fairs, &c. not contributing towards the wages of members of parliament, &c. &c. These lands were at the time of the survey and afterwards kept in the king's hands, and managed by *prepositi* or bailiffs, and called his demesnes, which in process of time were let to farm to tenants for a considerable part of their true value, a half, third, or fourth part; and this rent was called a fee-farm rent; the tenants esteeming what these lands were worth above the rent, or in respect of their tenure, to be to them as if they were holden in fee, paying their rent and tallages."

† A hide of land (*hida*) was supposed to be sufficient to maintain a house or family: the admeasurement differed in various counties, though it generally contained one hundred Norman acres, which were equal to one hundred and twenty English ones, and was valued at about twenty shillings a year. "The just value of a hide that might fit the whole kingdom never appears from Domesday, and was ever of an uncertain quantity."—*Seld. Tit. Hon.*

‡ Plough (*carucata*) signifies what we call a team's tillage, or as much land as may be tilled and laboured with one plough, and the beasts belonging thereto, in a year, having meadow, pasture, and houses for the householders and cattle belonging to it. This must of course be different in different soils: not less probably than eighty acres, or more than one hundred and twenty. The Norman scribes so frequently made abbreviations, that *car.* was put alike for *caruca*, the cart or team, and *carucata*, a

demesne, and fifty bondmen and bondwomen,* and sixteen bordars† had their residence about the hall; and two mills of twenty shillings,‡ and one fishery, and one salt pit at Droitwich (*Wicham*), belong to this manor.

team's tillage; and it is not in every case clear which of the two is meant. "The hide was the measure of land in the Confessor's reign, the carucate that to which it was reduced by the Conqueror's new standard."—*Seld. Tit. Horn.*

* Bondmen (*servi*) and bondwomen (*ancille*) differed in many instances from those of the *villani*: they were indeed mere slaves to the lord; they were incapable of acquiring any property by inheritance, industry or gift; their money, goods and lands, being seizable at the option of the baron, who was only restrained by the common law from maiming or killing his vassals, or ravishing the female slaves or nieces.

† Bordars (*bordarii*) were tenants who held a *bord* or cottage with land, but were in a very servile condition. "The *yeomanry* are styled *bordarii* in Domesday-Book; who held a small parcel of land of the manor, on condition of supplying the lord with poultry and other small provisions for his board and entertainment: hence the lands so held are called *bord lands*."—(*Kennett's Paroch. Antiq.*) The word *yeoman* was not at that period synonymous with *farmer*, as in the modern acceptation. Bishop Latimer, in his first sermon preached before King Edward the sixth, at Westminster, on the 8th of March, 1549, exhibits a just picture of the ancient English yeomanry: "My father was a *yeoman*, and had no landes of his owne, onely he had a farme of three or foure pounds by the yere at the uttermost, and hereupon he tilled so much as kept half a dozen men. Hee had walke for an hundred sheepe, and my mother milked thirtie kine. He was able, and did find the king a harnesse, with himself and his horse, while he came to the place that he should receive the king's wages. I can remember that I buckled his harnesse, when he went to Blackheath field. He kept me to schoole, or else I had not beene able to have preached before the king's majestie now. He married my sisters with five pound, or twenty nobles a peece, so that he brought them up in godlinesse and feare of God. He kept hospitalitie for his poore neighbours, and some almes he gave to the poore; and all this did he of the said farme. Where hee that nowe hath it, payeth sixteene pound by the yeare or more, and is not able to doe anie thing for his prince, for himselfe, nor for his children, or give a cup of drinke to the poore."

‡ The shilling (*sol.*) mentioned in Domesday "consisted of twelve-pence, and was equal in weight to something more than three of our shillings; so that the Norman pound, consisting of twenty such shillings, was three pounds two shillings of our present money. The Saxon shilling was valued at five-pence, and forty-eight of them went to the pound: one of their pence being three times the weight of our silver penny. It is observable, there was no such piece of money as the shilling coined in this kingdom till the

At Southwick (*Sudwicham*) there are three hides. In Tredington (*Trotintune*) six hides. In Fiddington (*Fitentone*) six hides. In Pamington (*Pamintonie*) eight hides. In Natton (*Natone*) three hides and a half. In Walton-Cardiff (*Wal-tone*) three hides.

In Aston-upon-Carron (*Estone*) there are six hides. There were twenty-one villanes* there, and nine radchenistres,†

year 1504. The penny was anciently the only current silver coin, till about the reign of King John, or 7 Edw. I. according to others, when the silver half-penny and farthing were introduced; but in the year 1350, King Edward the third began to coin large pieces, which, from their size, obtained the name of groats. Crowns and half-crowns were first coined in the year 1551."—(*Nash's Worcestershire*.) Sir Robert Atkyns, in endeavouring to shew what proportion the value of silver, at the time of taking the survey, bore to the value of it in his own time (1712), says, "The rate of necessities which subsist human life is the true estimate of money: since therefore wheat corn seems to be the most necessary of any one thing, we may best value coin by the price of wheat in the several ages. A bushel of wheat, soon after the Norman conquest, was sold for a penny, and because their penny was equal in weight to our three-pence, we may therefore allow their bushel of wheat to be valued at three-pence. At this day, a bushel of wheat, one year with another, may be valued at four shillings, which is sixteen times the value of wheat six hundred years ago: the conclusion will be, that a man might live in that time as well on twenty shillings a year of our money, as on sixteen pounds a year at present."—(*Atkyns's Gloucestershire*.) Lord Lyttleton has also calculated the nominal and real value of money soon after the conquest compared with his own times, and his estimate agrees pretty nearly with Sir Robert Atkyns's: and if, according to his mode of reckoning, we set the present medium price of wheat at eight shillings, and take into account the artificial wants and luxurious mode of living since introduced, with the additional taxes and other public burthens, it will appear that a person might live as plentifully upon one hundred pounds a year at that time as upon five thousand at the present.

* Villanes (*villani*) were a class of men who inhabited the villages, and though they ranked above the *servi* or *bordarii*, yet they were obliged to work for their lord without reward. When the conqueror parcelled out this kingdom to his Norman adventurers, he also gave the inhabitants of the manors as vassals to cultivate the soil; and when these lords again granted out their lands to inferior tenants, they reserved to themselves in many respects an absolute power over the lives and properties of those who held under them.

† *Radchenistre*, a free man. They were probably men bound to do a certain portion of husbandry work, such as to mow or reap during the busy time in harvest. Du Cange thinks their service consisted in attending their lord on horseback.

having twenty-six ploughs; and five coliberts* and one bordar with five ploughs. These radchenistres ploughed and harrowed the lord's manor.

In Gloucester (*Glouuecestre*) there were eight burgesses,† paying five shillings and four-pence, and doing service at the lord's court.

In the whole of Tewkesbury (*Teodechesberie*) there are one hundred and twenty acres‡ of meadow; and a wood, one mile§ and a half long, and equally broad.

At Tewkesbury (*Teodekesberie*) there are now thirteen burgesses, paying twenty shillings a year. A market which the queen established there pays eleven shillings and eight-pence. There are one plough more, and twenty-two bondmen and bondwomen. One fishery, and one salt pit at Droitwich (*Wicham*). Three radchenistres belonged thereto in King Edward's time. One of them held six hides in Aston-upon-Carron (*Estone*). Girard now holds them. Another held three hides in Walton-Cardiff (*Waltone*). Ralph now holds them. The third held two hides in Fiddington (*Fitentone*). Bernard now holds them. In these eleven hides there are ten ploughs in the demesne; and four villanes and one bordar and nine bondmen with one plough. There are eighteen acres of meadow. The whole was in King Edward's time worth ten pounds;|| and is of the same value now.

* Coliberts (*coliberti*) mean those who held in free socage, or one who, being a villane, was made free—a middle rank between *serri* and *liberi*; doing the work of the first, but holding by the tenure of the latter.

† Burgesses (*burgenses*) were inhabitants of walled towns or boroughs, who held their tenements, called burgages, at the will of the lord, and worked at some trade by his permission, paying him whatever part of the profits of their industry he might think proper to require.

‡ In Domesday-Book the tillage land is commonly measured by carucates, a farm of tillage and pasture by hides, and the meadow by acres.

§ It is not accurately ascertained what the mile mentioned in this survey measures; some call it 1500 paces, and others 2000.

|| The pound (*lib.*) was the weight of a pound of silver, of twelve ounces.

At Oxendon (*Oxendone*) there were in King Edward's time a hall and five hides belonging to Tewkesbury (*Teodekesberie*). There are five ploughs in the demesne there; and five villanes and two radchenistres having seven ploughs, and twelve bondmen and bondwomen. There are twenty-four acres of meadow. At Winchcomb (*Wicecumbe*) three burgesses pay forty-pence. All this is and was worth eight pounds.

Four hides without the demesne, which are in Hanley Castle (*Hanlege*) belong to the same manor of Tewkesbury (*Teodekesberie*). There were in King Edward's time two ploughs in the demesne there; and forty villanes and bordars, and eight bondmen and bondwomen; and a mill at sixteen-pence; and a wood in which there is an enclosure. This land was Earl William's, but it now belongs to the king's farm in Hereford. In King Edward's time it was worth fifteen pounds; now ten pounds.*

In Forthampton (*Fortemeltone*) nine hides belong to this manor. There are two ploughs in the demesne; and twenty villanes and bordars, and six bondmen and bondwomen. There is wood. It was in King Edward's time worth ten pounds; now eight pounds. Earl William held these two lands, and they were taxed in Tewkesbury (*Tedekesberie*).

In Shenington (*Senendone*) ten hides belong to the same manor. There are four ploughs there; and eight villanes and four bordars and five radchenistres with eight ploughs. There are twelve bondmen; and a mill of three shillings. This land is taxed for seven hides. In King Edward's time it was worth twenty pounds; now eight pounds. It is in the king's hands. Robert de Olgi holds it to farm.

In Clifford Chambers (*Clifort*) seven hides belong to the same manor. There are three ploughs in the demesne; and fourteen villanes with five ploughs; and a mill of twelve shillings; and two acres of meadow. There were thirteen bond-

* It appears that the value of lands varied considerably between the times of Edward the Confessor and William the Conqueror: some increasing and others diminishing.

men and bondwomen, and a church, and a priest,* with one plough. It was worth eight pounds; now six pounds. The queen gave this to Roger de Bushi, and it was taxed for four hides in Tewkesbury (*Tedechesberie*).

Of the five hundred hides above recounted, which belong to Tewkesbury (*Tedechesberie*), fourscore and fifteen hides were quit and freed from all tax and royal service.

The whole of the manor of Tewkesbury (*Tedekesberie*) together, was, in King Edward's time, worth one hundred pounds; when Ralph received it, twelve pounds, because it was destroyed and ruined; it is now rated at forty pounds, yet Ralph pays fifty pounds.

Brictric, the son of Algar, held this manor in King Edward's time; and he had at that time the underwritten lands, of other thanes,† under his jurisdiction.

One thane held four hides in Ashton-under-Hill (*Essetone*), and it was a manor. Girard now holds it, and he has one plough there; and two villanes with one plough. It is and was worth forty shillings.

Let held eight hides in Kemerton (*Chenemertone*), and it was a manor. Girard now holds it, and he has three ploughs there; and fourteen villanes with six ploughs. There are eight bondmen; and three mills of fifteen shillings. It was worth eight pounds; now six pounds.

Three hides in Bodington (*Botintone*) belong to this manor. The same Girard holds them, and has there two ploughs, and four villanes with three ploughs; and there are three bondmen, and a mill of eight shillings, and eight acres of meadow. It is and was worth forty shillings.

* Priests were not maintained by tithes, but by a certain portion of land, with its stock of servants and cattle. Dr. Nash says, "wherever we find a priest mentioned in Domesday, we may conclude there was a church."

† Thanes (*teini*) "were the Saxon nobility, and divided into thani regis, mediocres, and inferiores. The first, in the Saxon times, were equal to the barons in the Norman times; as the thani mediocres were to the lesser barons, or lords of manors; and the inferiores made up the lowest degree of freeholders."—*Spelman*.

One thane held three hides in Wincot (*Wenecote*.) The queen gave this land to Rainald the chaplain. There are three villanes there with half a plough. It was worth forty shillings.

Dunning held six hides and a half in Alderton (*Atdritone*); and in Dixton (*Dricledone*) four hides and a half; and in Hinswick (*Hundeuuic*) a thane held one hide. Hunfrid holds these lands of the king; and he has four ploughs in the demesne there; and five villanes and eight bordars with three ploughs; and one radchenistre with one plough; and in Winchcomb (*Wicecombe*) one burgess, and there are reckoned twelve acres of meadow there. The whole was in King Edward's time worth eleven pounds; now six pounds.

Four villanes held two hides, and one thane half a hide in Twyning (*Tuninge*). There are four ploughs there; and three acres of meadow. The queen gave this land to John the chamberlain. It is and was worth thirty-five shillings.

Hermer and Alwin held three hides, save one virgate,* in Stoke-Orchard (*Stoches*). Bernard now holds them of the king; and he has one plough in the demesne there, and four acres of meadow. It was worth sixty shillings; now forty shillings.

The possessors of these lands in King Edward's time, put themselves and their lands under the protection of Brictric.

* Virgate, (*virgata*,) a yard land, contained a fourth part of a hide, or about thirty acres; though in some counties only twenty-four, and in others not more than fifteen. It varied in quantity according to the richness of the soil, as did indeed all the other measures of land.

CHAPTER VIII.

FOUNDATION AND HISTORY OF THE MONASTERY.



WE are enabled, with some degree of accuracy, to fix the date of the foundation of the monastery of Tewkesbury, and also to record the names of a long and splendid succession of patrons and benefactors; but we cannot give so correct an account of its history, as we probably might have done, had the commissioners of Henry the eighth been as careful to preserve the books and records of the abbey, as they were diligent in registering every species of property belonging to it, which could be converted to their royal master's use.

The history of this monastery is given in Latin, at considerable length, by Dugdale,* from an ancient Chronicle, formerly belonging to the abbey, and now preserved among the Cottonian manuscripts in the British Museum.† A translation of this important record first appeared in the valuable county history of Sir Robert Atkyns.‡

The earliest monastery at Tewkesbury was erected by Oddo and Doddo, sons of a Saxon nobleman, and two of the most powerful subjects in the kingdom of Mercia, while that flourishing division of England was successively governed by Ethelred, Kenred and Ethelbald. They built it upon their own estate, on a spot where, it is said, one Theocus, a hermit, had his residence; and hence, according to the Chronicle, the name of Tewkesbury is derived.

* *Monasticon Anglicanum*, (Caley, Ellis and Bandinel's edition,) v. 2, p. 59, &c.

† *Cleop.* c. iii.

‡ *Ancient and Present State of Gloucestershire*, 1712.

It is generally supposed to have been founded in the year 715, though Stow gives it an earlier and Speed a later date. It was dedicated to the Virgin Mary, and the noble and pious founders endowed it with the manor of Stanway, and other possessions,* for the support of the monks, who at that period were not more than four or five in number, with a prior as their superior. These were of the order of Benedictines,† which was certainly the most opulent, learned and respectable of all the monkish orders.

The noble founders of the Tewkesbury monastery died about the year 725: Duke Doddo was buried in the abbey at Pershore; and the bones of his elder brother, Oddo, were subsequently removed thither, he having been a liberal benefactor to that flourishing abbey.

These noblemen died without issue, and from the time of their death we have no information respecting the monastery of Tewkesbury until 799: Hugh, a Mercian nobleman, was then the patron, and procured Brictric,‡ king of the West Saxons, who had married the daughter of the Mercian king Offa, to be buried in the chapel of St. Faith; and he himself, in 812, was also buried in the north side of the body of the church.

* Leland says, that "Oddo and Doddo gave to Tewkesbury, Stanway cum membris, viz. Tadington, Prescote and Didcote." This fine estate continued part of the possessions of the monastery of Tewkesbury from that period until its dissolution, when it was granted by the crown to William Tracy, esq. of Todington, ancestor of the late Lord Tracy, to whom the present proprietor, Lady Elcho, (who succeeded to the Stanway estate on the death of her sister, the Right Hon. Henrietta Charlotte Tracy, Viscountess Hereford, in 1817,) traces pedigree in the following manner: she was daughter to Anthony Keck Tracy, esq. who was fourth son of John Tracy, esq. only son of Ferdinando, younger son of John third Lord Tracy, who was the fifth in lineal descent from Richard, second son of William the grantee.

† For some account of the order of St. Benedict, see Appendix, No. 7.

‡ Brictric was the immediate predecessor of Egbert, and his death (which was occasioned by poison, prepared by Eadburga, his queen, for one of his favourites) is stated in the Cotton MS. to have taken place in 799; but in the Saxon Chronicle it is said to have been subsequent to an eclipse of the moon in the following year.

Another long chasm here occurs in its history ; it appears however to have been several times plundered, and twice consumed by fire, in the civil wars which disturbed Britain during the Heptarchy.

The next patron, of whom we have any account, is Haylward Snow : he, in addition to his great possessions at Tewkesbury, had a large estate at Cranbourn, Dorset, where, about 980, whilst Dunstan was archbishop, he founded a monastery, and subjected the priory at Tewkesbury to the new establishment, in which subordinate condition it remained for upwards of one hundred and twenty years.

Earl Algar, son of Haylward, was a liberal benefactor to the monastery of Tewkesbury.

When Domesday survey was made, the patronage of the monastery was vested in the crown. The church had, however, its separate endowment, consisting of twenty-four hides and a half, which was valued in the time of Edward the Confessor at the annual sum of twenty-four pounds ten shillings ; but from causes unexplained, it had fallen, in the time of William the Conqueror, to a revenue of twenty pounds.

The following is a translation of that part of Domesday-Book which records the church lands :

“ In Stanway (*Stanwege*) there are seven hides belonging to the church. There are two ploughs in the demesne ; and eight villanes and two bordars with eight ploughs. There is a monastery ; and five bondmen and bondwomen ; and one salt pit at Droitwich (*Wicham*) ; and eight acres of meadow. A wood, three quarenters long, and one broad. In King Edward's time it was worth eight pounds ; now seven pounds.

“ In Tadington (*Tatintone*) four hides. There are two ploughs there ; and eleven villanes and one radchenistre with two ploughs, and three bordars and nine bondmen. It was worth six pounds ; now one hundred shillings.

“ In Lemington (*Limentone*) three hides. There are two ploughs there ; and eight villanes with four ploughs, and six bondmen, and one bordar. It was worth sixty shillings ; now forty shillings.

“ In Great Washbourn (*Waseborne*) three hides. There are two ploughs there; and six villanes with three ploughs, and one bordar, and nine bondmen with a bondwoman. It was and is worth sixty shillings.

“ In Fiddington (*Fitentone*) two hides. There is one villane, and two coliberts with two ploughs. It is and was worth ten shillings. One of these hides was quit land.

“ In Aston-upon-Carron (*Ætone*) one hide of quit land, and there is one plough. It is worth ten shillings.

“ In Stanley-Pontlarch (*Stanlege*) four hides and a half. There is one plough there; and four villanes with two ploughs, and three bordars and five bondmen. This land was quit. It was worth four pounds; now forty shillings.

“ The whole land belonging to the church was, in King Edward's time, taxed for twenty hides.”

As the patronage of the religious establishment at Tewkesbury was from this period generally vested in the proprietors of the great lordship or manor, we shall in this place only enumerate such of the patrons as were its benefactors—having given an account of the lords in a preceding chapter.

William Rufus having granted the patronage of the monasteries of Tewkesbury and Cranbourn, with Brictric's other possessions, to Robert Fitz-Hamon; he, early in the reign of King Henry the first, through the entreaties of his wife Sybil, and Girald the abbot of Cranbourn, rebuilt on an enlarged scale the monastery of Tewkesbury, and most munificently endowed it.* The situation being found preferable to Cranbourn, on account of the greater fertility of its neighbourhood, the advantage of a fine navigable river near it, and the superior accommodation which the new buildings afforded to the monks, abbot Girald and the members of his establishment, in the year 1102, removed to Tewkesbury, leaving only a prior and two monks at Cranbourn.

* “ It cannot,” says William of Malmesbury, “ be easily reported, how highly Robert Fitz-Hamon exalted this monastery, wherein the beauty of the buildings ravished the eyes, and the charity of the monks allured the hearts of such folk as used to come thither.”

At this time, the monastery of Tewkesbury was raised to the dignity of an abbey, and the priory at Cranbourn became subject to it.*

In the year 1101, Henry de Newmarch confirmed to the abbey of Tewkesbury the manor of Amney Crucis, or Holy Rood, which Winebald de Balun had partly given and partly sold to the monks.†

Robert Earl of Gloucester, about the year 1140, founded a priory of large extent at Bristol, dedicated it to the honour of God, the blessed Mary, and St. James the Apostle, and subjected it to the abbey of Tewkesbury.

Besides the priory of St. James at Bristol; and the church of St. Peter's, which had previously been given by Robert Fitz-Hamon; the monastery of Tewkesbury had also the patronage of Christ Church, and the church of St. Michael, in that city. The abbot presented Richard Cumblain to the rectory of the latter in 1193.

Between 1153 and 1183, Nicholas ap Gurgant, by charter, confirmed to the church of St. Mary at Tewkesbury, the parish church of St. Mary at Cardiff, with the chapel of the castle; and likewise a great number of other churches and chapels, tithes, lands, &c. in Wales.‡

William Earl of Gloucester, son of Robert, confirmed not only all the charters, liberties and donations, which his father had granted to the abbey, but also those of all his ancestors, and added some new endowments.§

In 1177, according to the Cotton MS. or in 1178, according to the Annals of Winton, Tewkesbury monastery and church were destroyed by fire; but the circumstance of John Earl of Cornwall, afterwards King John, and a large retinue, having been sumptuously entertained by the abbot about the same time, seems to render this relation somewhat doubtful. It is

* For the Charter of Ordination made on this occasion, and which was entered in the Abbey Register, see Appendix, No. 8.

† Fosbroke's Gloucestershire.

‡ Dugdale's Monasticon.

§ MS. Cotton. Brit. Mus. Cleop.

probable that some portion of the monastery might have been burnt down.

In the time of Abbot Fromund, between 1162 and 1189, Gilbert Foliot, bishop of London, confirmed the grant of the church of All Saints, London, to the abbey of Tewkesbury.

King John was not only a considerable benefactor to the town, but granted two charters to the abbey, which confirmed those of his ancestors. His charter of protection was given after he ascended the throne.*

About 1190, the cause between Alan abbot of Tewkesbury and Herebert the chaplain, concerning the vicarage of Cranbourn, was decided by a commission from Pope Celestine to William bishop of Hereford, &c. Herebert claimed the vicarage, and a chapel in the earl's court, which he alleged that he held of the earl and not of the abbot; but after two years contest, he confessed himself in error and asked pardon; on which the abbot, at the request of his judges, permitted him to hold the vicarage for life.†

A charter of King Edward the first, granted in the twenty-eighth year of his reign, ratified and confirmed many of the charters of preceding monarchs.‡

Gilbert de Clare, first Earl of Gloucester and Hertford, in 1230, gave the Mythe Wood§ to the abbey, and was otherwise a very considerable benefactor to it.

Gilbert de Clare the second deprived the monks of all the possessions bestowed upon them by his grandfather; but the whole were restored by his son, Gilbert de Clare the third.

The following passages occur in the Cotton Register, under 1231, the year in which Abbot Peter died, respecting the church of Landblethian, in the diocese of Landaff:—"Tertia oct. Nat. beatæ Virginis Mariæ convenerunt apud Strugoil, dominus episcopus Land. Thomas decanus Hereford. P. abbas

* Dugdale's Monasticon.

† Hutchinson's Dorsetshire, III. 623.

‡ For this Charter, see Appendix, No. 9.

§ The abbey obtained a license to inclose the Mythe Wood, in the 47th Edw. III.—*Atkyns*.

Theok. Mauricius archid. Land. Magister R. rector ecclesiæ de Tornebyr, et plures alii ut disponerent de ecclesia de Landbleth quam R. Mailok tenuit de nobis, quæ nobis concessa est in usus proprios retinere per curiam Romanam et confirm. episcoporum Land." "Circa festum sancti Michaelis misimus Eustachium Walensem monachum nostrum ad accipiendam saysinam ecclesiæ de Landblethian, quam R. Mailok de nobis tenuit, qui ad eandem veniens clave asportata ad montes vicinos, saysinam quam potuit accepit. s. ostium ecclesiæ, et pro statu suo et nostro appellavit ne quis veniret contra privilegia nostra, et confirmationes episcoporum Land. de illa et aliis ecclesiis impetratas. Ipsi tandem dictum monachum inventum in strata regia cœperunt et in montes vi adduxerunt, et ibidem eum per triduum sicut captivum tenuerunt. Quo audito dominus Helyas episcopus Land. tam omnes qui eum manus violentas injecerunt, quam deteriores dictæ ecclesiæ et complices excommunicavit et excommunicatos in capitulo fecit denuntiari, et tales eos conquerendo domino justiciario H. de Burgo per literas suas ostendit."*

In 1234, the principal gate of the monastery, with two of the stables, were destroyed by fire.†

In 1237, the chapel of St. Nicholas, in the church of Tewkesbury, was rebuilt by Hervey de Sipton, then prior;‡ and in 1239, the church itself, together with the high altar, were dedicated to the Virgin Mary,§ by Walter de Cantelupe, Bishop of Worcester.

In 1314, 8 Edw. II. the abbey had license to impropriate the church of Thornbury.

In 1333, Adam de Orlton, Bishop of Worcester, by command of Pope Benedict the twelfth, confirmed the impropriation of Fairford to the abbey of Tewkesbury.||

* Cott. Reg. fol. 22 b, 23.

† Cotton MS.

‡ Ibid.

§ The following passage occurs in the Cotton Register:—"A. D. M.CC.XXXIX. Dedicata est ecclesia Theok. cum majori altare in honore gloriosæ Virginis Mariæ xiiij. kal. Julii."—Fol. 36.

|| Lib. Alb. Episc. Wigorn.

About 1340, Hugh le Despenser the third appropriated the church of Lantrissant to the monks of this abbey; out of which, upon the day of his anniversary, they had twenty marks, and thirty more for a pittance.*

In 1365, Thomas Caninges, parson of Tarent Monkton, applied for licence to give a messuage and two virgates in Twynning to Tewkesbury abbey.

In 1373, the abbey of Tewkesbury obtained a messuage, virgate, and ten acres of meadow, at Forthampton, held of the prior of Great Malvern by twenty shillings per annum, from Sir Peter de Woodmancote, knight, Nich. de Washebourne and Walter de Herferton Capellanes.

Edward le Despenser the second bequeathed to the abbot and convent of Tewkesbury, one whole suit of his best vestments, also two gilt chalices, and one gilt hanap; likewise an ewer, wherein to put the body of Christ on Corpus Christi day, which was presented to him by the King of France.†

In 7 Rich. II. 1383, Tewkesbury abbey obtained a moiety of the manor of Walton Cardiff from William de Chesterton, John Appurley, H. Best, and Peter de Woodmancote.‡

In 13 Rich. II. 1389, the abbot of Tewkesbury (Chesterton) held at his death the manors of Tarent Monkton, Cranbourn, Chetel, Upwimbourn and Boveridge, parcel of the foundation of his church, of the manor of Cranbourn; also twenty-six shillings and eight-pence rent in le Gore juxta Sherston; and several messuages and lands in that vill, and forty acres of land in Tarent Lowestone.§

Sir Guy O'Brien appropriated certain rents in Bristol to the office of sacrist in Tewkesbury monastery; and to the priest who should say the first mass for the said Guy, every day, at the altar of St. Margaret, in Tewkesbury church, with these prayers, "God of his mercy," &c. for his surviving kindred; and, "Incline, O Lord," &c. for his dead relatives; the mass of the Trinity on Sunday; the mass of the Holy Ghost on

* Dugdale's Baronage.

† Ibid.

‡ Fosbroke's Gloucestershire.

§ Hutchinson's Dorsetshire.

Monday; the mass of St. Thomas on Tuesday; the mass of the Holy Rest on Wednesday; the mass of Ascension on Thursday; the mass of the Holy Cross on Friday; the mass of St. Mary on Saturday—to the priest who should so officiate for a week, twenty-one pence; and to him who should celebrate mass on his anniversary, or on the anniversary of his wife Elizabeth, if the abbot, five shillings, if the prior, three shillings and four-pence; to him who should read the gospel, to the reader of the epistle, to him who should hold the paten, and to the precentor and his two assistants, eight-pence each; to the prior, twelve-pence; and to every monk, four-pence.*

On the 14th of March, 1415, in the second year of the reign of King Henry the fifth, and in the twenty-fourth year of the abbotship of Thomas Parker, the king granted to the abbot and convent of Tewkesbury a pardon, though it does not appear what they had done to need it.†

King Henry the sixth, in 1422, gave the patronage of the priory of Deerhurst‡ to the abbey of Tewkesbury; but much

• Dugdale's Baronage.

† It has been conjectured that it was for some transaction in favour of the oppressed House of York, which was offensive to the Lancastrian dynasty, then in power. It seems however more probable, that the motive of the disorders for which this pardon was granted, related to the suppression of the alien priories, by a bill which passed in the second year of Henry's reign; and which bill, say Hall and Speed, "made the fat abbotts to sweate, the proud priors to frowne, the poor friars to curse and the silly nunnes to weepe, and all her merchants to feare that Babell would downe: and indeed here it beganne to fall, when by the authoritie of parliament one hundred and ten priories aliant were suppressed, and their possessions given to the king and his heirs for ever."—For this Pardon, see Appendix No. 10.

‡ At Deerhurst, which is situated about two miles below Tewkesbury, on the banks of the Severn, there was a monastery in the time of Bede. Oddo, one of the founders of Tewkesbury monastery, was a monk there, and both he and his brother Doddo were great benefactors to Deerhurst, and their brother Almaric was interred there. The Danes destroyed the monastery, but King Edward the Confessor rebuilt it, and endowed it with the advowsons of Deerhurst, Wolstone, Preston and Compton, and made it an alien priory subject to the abbey of St. Denis in France, which William the Conqueror confirmed in 1069. It possessed eight lordships, and was

litigation subsequently took place between the abbey and Eton college respecting it.

Isabel, daughter of Thomas le Despenser, Earl of Gloucester, who erected a chapel in Tewkesbury church to the memory of her first husband, Richard Beauchamp, Earl of Worcester, gave lands of the value of three hundred marks a year to the church, for the support of six additional monks; she also procured the church of Tarrant, in the diocese of Salisbury, and the church of Penmark, in the diocese of Landaff, to be appropriated to the abbey, and confirmed all the privileges granted to it by her ancestors. At her death, she bequeathed by will to the church, of which she had for so long a period been the munificent patroness, all the ornaments of her head and body, which she wore in her life time, of gold, silver, and precious stones; also her wedding gown, and all her clothes of gold and clothes of silk without furs, except one of russet velvet, which she bestowed upon St. Winifred. The

accounted worth three hundred marks a year, when it was sold by the abbot and convent of St. Denis to Richard Earl of Cornwall in 1250. Tanner says, "it was made denizon in the French wars of Henry the sixth, but this denization was afterwards annulled, and that king granted it to Eton College, ann. reg. 26. Edward the fourth gave it successively to Foderinghay and Eton Colleges, and to Tewkesbury abbey; and at the dissolution it was made private property." Deerhurst was once, according to Leland, a town of considerable extent, and in his time there were two fairs held there annually; the names of some of the old streets were retained long after the buildings were effaced, and foundations of houses have at various times been discovered, which tends to confirm the statement of its having been once much more extensive than it is at present. Some of the buildings which belonged to the priory still exist, and adjoin the east end of the church, but are now converted into a farm house. The church retains some traces of Norman architecture, particularly a lofty circular arch at the east end, now walled up; but the greater part of the present structure was built in 1470, by William Whitchurch, abbot of Hayles: there was formerly a spire upon the tower, which was blown down in 1666. The church of Deerhurst exercises a peculiar jurisdiction over the parishes of Corse, Forthampton, Hasfield, Leigh, Staverton, Bodington and Tirley: these claim archidiaconal visitation at their mother church, and had no right of sepulture in their own cemeteries until it was confirmed by the prior. The priory farm is now the property of the Earl of Coventry, who takes from this place the title of Viscount Deerhurst.

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value of her ornaments of jewels and apparel was estimated at three hundred marks. She ordered four masses to be said, in the new chapel which she had founded, for the good of her soul, and the souls of her ancestors and successors; and bequeathed to each of the priests who should officiate in it two shillings weekly.

In 1442, Henry Beauchamp, Duke of Warwick, gave the patronage of the church and priory of St. Mary Magdalen, at Goldcliff, Monmouthshire, to the abbey of Tewkesbury. Three years after, in 1445, the Cambro-Britons compelled the prior and monks of Tewkesbury to quit Goldcliff; but in the following year they again returned. The king afterwards, in 1459, granted the priory of Goldcliff to the college of Eton; but in 1461, it was returned to Tewkesbury. In the seventh year of the same reign, it was again given to Eton, and by that college retained till the dissolution of the monasteries. In the valuation, 26 Hen. VIII. it was rated at £.144. 18s. 1d.

The same nobleman gave the church of Sherston to this abbey; he also confirmed all the privileges granted to the church of Tewkesbury by his ancestors; and bequeathed the whole of the ornaments which he wore about his person to make vestments for the monks.

Richard Neville, Earl of Salisbury and Warwick, confirmed to the abbey the appropriation of the church of Sherston, and also all the charters which the Duke of Warwick had granted, including that which conferred the right of fishing in the Severn and Avon, and in the Taffe at Cardiff.

In the reign of Henry the sixth, John Nanfan, esq. of Birtsmorton, was a considerable benefactor to the monastery: among other gifts, he bestowed forty marks annually to maintain two masses for ever, ordered his body to be buried in the church, appointed the abbot with others his executors, and made Cicely Duchess of Warwick overseer of his will.

In 1469, the abbey of Tewkesbury obtained a grant of the priory of Deerhurst, with its possessions, including the manors of Coln St. Denis, Preston-upon-Stour, Welford, Compton Little, Uckington and Staverton, the Haw and Wolstone; as

well as of the patronage of the churches of Corse, Wolstone and Welford; and the impropriation of the parishes of Elmstone, Tirley, the Leigh, and St. Andrews at Droitwich.*

In 1472, John Carpenter, bishop of Worcester, appropriated the church of Little Compton, in the deanery of Stow, to the abbot and convent of Tewkesbury, to augment the number and increase the salaries of the priests and clerks officiating in the chapel of the blessed Virgin Mary in that monastery; reserving to himself and his successors yearly six shillings and eight-pence; to the prior and convent three shillings and four-pence; and to the archdeacon of Gloucester three shillings and four-pence.†

John Russell, bishop of Lincoln, appropriated the rectory of Great Marlow to the abbey.‡

In 1500, Silvester Gigles, bishop of Worcester, appropriated Eastleach St. Andrew, in the deanery of Fairford, to the abbot and convent of Tewkesbury.§

In Dugdale's *Monasticon*, edited by Messrs. Caley, Ellis and Bandinel, are numerous charters, grants, presentations, confirmations, agreements, protections, &c. relative to the monastery of Tewkesbury, many of which were obtained from the *Abbey Chronicle*,|| which is deposited in the British Museum.

* “On the 29th of April, 1469, John Carpenter, bishop of Worcester, united and annexed the priory of Deerhurst to the monastery of Tewkesbury, reserving to himself and his successors a yearly pension of twenty shillings; to the prior and convent twenty shillings; and to the archdeacon of Gloucester six shillings and eight-pence. The abbot of Tewkesbury to find and maintain there one monk in priest's orders, to be called prior or warden, four other monks, and one secular priest daily to perform divine service in that priory.”—*Carp. Annal. Wigorn.*

† *Carp. Annal. Wigorn.* ‡ *Mag. Brit.* i. 599. § *Annal. Wigorn.*

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litigation subsequently took place between the abbey and Eton college respecting it.

Isabel, daughter of Thomas le Despenser, Earl of Gloucester, who erected a chapel in Tewkesbury church to the memory of her first husband, Richard Beauchamp, Earl of Worcester, gave lands of the value of three hundred marks a year to the church, for the support of six additional monks; she also procured the church of Tarrant, in the diocese of Salisbury, and the church of Penmark, in the diocese of Landaff, to be appropriated to the abbey, and confirmed all the privileges granted to it by her ancestors. At her death, she bequeathed by will to the church, of which she had for so long a period been the munificent patroness, all the ornaments of her head and body, which she wore in her life time, of gold, silver, and precious stones; also her wedding gown, and all her clothes of gold and clothes of silk without furs, except one of russet velvet, which she bestowed upon St. Winifred. The

accounted worth three hundred marks a year, when it was sold by the abbot and convent of St. Denis to Richard Earl of Cornwall in 1250. Tanner says, "it was made denizon in the French wars of Henry the sixth, but this denization was afterwards annulled, and that king granted it to Eton College, ann. reg. 26. Edward the fourth gave it successively to Foderinghay and Eton Colleges, and to Tewkesbury abbey; and at the dissolution it was made private property." Deerhurst was once, according to Leland, a town of considerable extent, and in his time there were two fairs held there annually; the names of some of the old streets were retained long after the buildings were effaced, and foundations of houses have at various times been discovered, which tends to confirm the statement of its having been once much more extensive than it is at present. Some of the buildings which belonged to the priory still exist, and adjoin the east end of the church, but are now converted into a farm house. The church retains some traces of Norman architecture, particularly a lofty circular arch at the east end, now walled up; but the greater part of the present structure was built in 1470, by William Whitchurch, abbot of Hayles: there was formerly a spire upon the tower, which was blown down in 1666. The church of Deerhurst exercises a peculiar jurisdiction over the parishes of Corse, Forthampton, Hasfield, Leigh, Staverton, Bodington and Tirley: these claim archidiaconal visitation at their mother church, and had no right of sepulture in their own cemeteries until it was confirmed by the prior. The priory farm is now the property of the Earl of Coventry, who takes from this place the title of Viscount Deerhurst.

value of her ornaments of jewels and apparel was estimated at three hundred marks. She ordered four masses to be said, in the new chapel which she had founded, for the good of her soul, and the souls of her ancestors and successors; and bequeathed to each of the priests who should officiate in it two shillings weekly.

In 1442, Henry Beauchamp, Duke of Warwick, gave the patronage of the church and priory of St. Mary Magdalen, at Goldcliff, Monmouthshire, to the abbey of Tewkesbury. Three years after, in 1445, the Cambro-Britons compelled the prior and monks of Tewkesbury to quit Goldcliff; but in the following year they again returned. The king afterwards, in 1459, granted the priory of Goldcliff to the college of Eton; but in 1461, it was returned to Tewkesbury. In the seventh year of the same reign, it was again given to Eton, and by that college retained till the dissolution of the monasteries. In the valuation, 26 Hen. VIII. it was rated at £.144. 18s. 1d.

The same nobleman gave the church of Sherston to this abbey; he also confirmed all the privileges granted to the church of Tewkesbury by his ancestors; and bequeathed the whole of the ornaments which he wore about his person to make vestments for the monks.

Richard Neville, Earl of Salisbury and Warwick, confirmed to the abbey the appropriation of the church of Sherston, and also all the charters which the Duke of Warwick had granted, including that which conferred the right of fishing in the Severn and Avon, and in the Taffe at Cardiff.

In the reign of Henry the sixth, John Nanfan, esq. of Birtsmorton, was a considerable benefactor to the monastery: among other gifts, he bestowed forty marks annually to maintain two masses for ever, ordered his body to be buried in the church, appointed the abbot with others his executors, and made Cicely Duchess of Warwick overseer of his will.

In 1469, the abbey of Tewkesbury obtained a grant of the priory of Deerhurst, with its possessions, including the manors of Coln St. Denis, Preston-upon-Stour, Welford, Compton Little, Uckington and Staverton, the Haw and Wolstone; as

well as of the patronage of the churches of Corse, Wolstone and Welford; and the impropriation of the parishes of Elmstone, Tirley, the Leigh, and St. Andrews at Droitwich.*

In 1472, John Carpenter, bishop of Worcester, appropriated the church of Little Compton, in the deanery of Stow, to the abbot and convent of Tewkesbury, to augment the number and increase the salaries of the priests and clerks officiating in the chapel of the blessed Virgin Mary in that monastery; reserving to himself and his successors yearly six shillings and eight-pence; to the prior and convent three shillings and four-pence; and to the archdeacon of Gloucester three shillings and four-pence.†

John Russell, bishop of Lincoln, appropriated the rectory of Great Marlow to the abbey.‡

In 1500, Silvester Gigles, bishop of Worcester, appropriated Eastleach St. Andrew, in the deanery of Fairford, to the abbot and convent of Tewkesbury.§

In Dugdale's *Monasticon*, edited by Messrs. Caley, Ellis and Bandinel, are numerous charters, grants, presentations, confirmations, agreements, protections, &c. relative to the monastery of Tewkesbury, many of which were obtained from the *Abbey Chronicle*,|| which is deposited in the British Museum.

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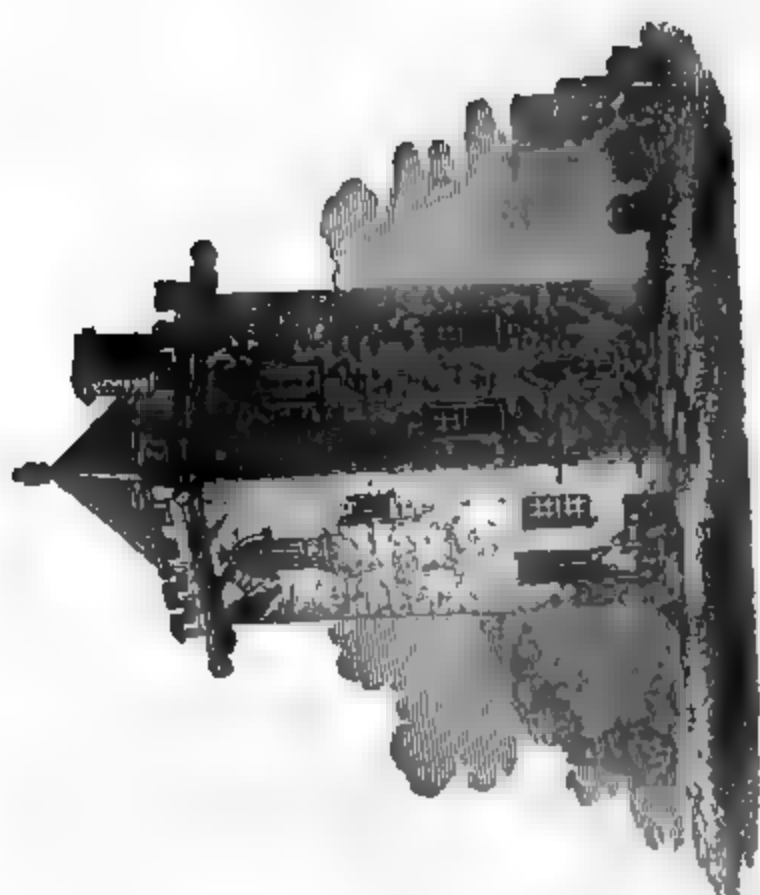
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which it has been deformed will shortly be swept away. The building is square, is embattled on the top, and adorned with grotesque flying figures; the arch is a fine specimen of the Saxon style; and it is altogether an object of considerable interest. Willis, in his *View of Mitred Abbeys*, says "the gate-house, which is a very noble one, and is called the prison-house, is above forty feet in height." Mr. Lysons observes, that "it seems to have been built about the beginning of the fifteenth century, and from the similarity of some of its ornaments to those of the founder's chapel, erected by Abbot Parker, was probably built in his time."

Between the gateway and the church is an ancient residence, called "the abbey-house." This was apparently erected with old materials, soon after the demolition of the abbey, as there are several remnants of ancient masonry visible in the northern wall, which seem to have been placed there without any regard to order, and with no other design than that of preserving them. The south front has lately been modernised, and the interior has also undergone those alterations which modern ideas of comfort could not fail to suggest.

Part of the abbey barn also remains, but it has lost much of its original character.

Until within a few years, a large quadrangular tower, of considerable height, stood in the church-yard, on the spot where the national school has since been erected, and which had been used for upwards of two centuries as the common gaol of the borough. This edifice is supposed to have been the campanile or bell-tower; for at the time of the construction of our early churches, bells were not placed in the central tower, as at present, but in an edifice frequently built at some distance from the church. There were several large rents or fissures on the west side of the building, which were probably caused by the too powerful vibration of the bells, and this might have occasioned their being removed into the central tower at an earlier period than they otherwise would. To each of the four corners was affixed a winged female figure, carved in stone; these were supposed to represent evil spirits, in the

act of flying away from the "harmony of the steeple," to which, according to the laws of demonology, they were supposed to have a great aversion.*

Leland, in his Itinerary, notices the following "Maner Places longging to the Abbate of Theokesbyri :

" Stanway was almost re-edified and augmentid by Abbate Cheltenham, tempore Henrici VII.

" Fordehampton, a faire place apon Severne, in dextra ripa, a mile beneth Theokesbyri, and agayn the parke of Theokesbyri standing on læva ripa.

" The maner place in Theokesbyri Park, with the parke, was lette by Henry the VII. to thabbot of Theokesbyri yn fee ferme, with the holme wher the castle was."

Leland also relates, that he saw the undermentioned books in the library of the monastery :

" Herebertus de Bosham, de Vita S. Thomæ Cant.
cujus erat familiaris. •

" Odonis de Siritono Sermones.

" Sermones Ysaac abbatis de Stella.

" Alfraganus de Scientia Astrorum.

" Gislebertus Abbas super Cantica Cantic."

The cells to Tewkesbury were Cranbourn, in Dorsetshire; St. James, in Bristol; Goldcliff, in Monmouthshire; and Deerhurst, in Gloucestershire.

* The dislike of spirits to bells is thus mentioned in the Golden Legend, by Wynken de Worde :—" It is said, the evil spirytes, that ben in the regon of thayre, doubte moche when they here the belles rongen ; and this is the cause why the belles ben rongen whan it thondreth, and whan grete tempests and outrages of wether happen ; to the ende, that the fiends and wyched spirytes shold be abashed and flee, and cease of the morynge of tempeste."

CHAPTER IX.

ABBOTS OF TEWKESBURY.



IN the year 1102, Girald, a monk of Winchester, who had been originally chaplain to Hugh Earl of Chester, was transferred by Fitz-Hamon from Cranbourn, and was constituted first abbot of Tewkesbury: not, as Stephens asserts, in 1104, but in 1102,* in which year he received the benediction from Sampson bishop of Worcester. The abbots of Tewkesbury and Gloucester visited Wulstan bishop of Worcester, whilst he was upon his death bed, and received absolution.† Girald retired to Winchester in 1109, being compelled to resign the abbacy in consequence of the offence he gave to King Henry the first, in not submitting to some exactions which that monarch attempted to make upon the property belonging to the monastery.‡

Robert, who succeeded Girald, became abbot in 1110. Stevens says he died in 1124, but the manuscript Continuation of Florence of Worcester says that his death occurred on the 6th of the ides of December, 1123.§

Benedict became abbot in 1124, and died in 1137.

Roger, sometimes called Robert, was the next abbot. He died in 1161, after having governed the monastery upwards of twenty-four years.

Fromund was made abbot of Tewkesbury in 1162, and died in 1177 or 1178.

* Dugdale's Monasticon.

† Malms. de vitâ Wulst. Angl. Sac. II. 267.

‡ Angla Sacra.

§ Kennett, MS. Diptycha.

Robert, the next abbot, did not receive the benediction until the 29th of September, 1182,* and he is said to have died in the following year.

Alan, prior of Canterbury, was elected abbot in 1186, and received the benediction at Canterbury on the 16th of the kalends of June, 1187. He is said by some to have been a native of Tewkesbury: he was first a canon of the church of Benevento, afterwards a monk of St. Saviour's at Canterbury, and became prior of that convent in 1179. He was the contemporary and friend of the proud but unfortunate Thomas a Becket, and probably witnessed his tragical death: he has been sometimes termed one of his evangelists, in consequence of being thought worthy by Archbishop Langton to be employed in writing the history of the passion and miracles of Becket, in order to promote his canonization.—*Quadrilogus de vitâ et processu S. Thomæ Cantuariensis et Martyris super Libertate Ecclesiasticâ*, a book collected out of the four historians, who were contemporary and conversant with Becket, viz. Hubert de Hoscham, Johannes Carnotensis, Gulielmus Canturburiensis, and Alanas Tewkesburiensis, who are introduced as so many narrators of facts alternately, was printed at Paris in 1495, and is known by the name of *Quadripartita Historia*.—Abbot Alan was distinguished for his great learning and abilities, and died in 1202.

Walter, sacrist of the monastery, was consecrated abbot in 1203, and died in 1213, or according to the Cotton manuscript in 1214.

Hugh, prior of Tewkesbury, became the next abbot, and received the benediction, by the bishop of Worcester's permission, from Giles bishop of Hereford, and died in 1215. He was succeeded by

Bernard, one of the monks of this place; but the bishop of Worcester, not approving of the appointment, refused to grant him his benediction; upon which,

* There seems to have been a vacancy of four years between the death of Fromund and the admission of his successor; and at Abbot Robert's death there appears also to have been another vacancy.

Peter, a monk of Worcester, was elected in his room, and received benediction from the bishop of Worcester on the 3d of April, 1216. From an entry in the Cotton manuscript, it appears, however, that there was subsequently no great cordiality between the bishop and the abbot.* Abbot Peter died on the 3d of the kalends of April, 1231, though Willis says it was in 1232. He was succeeded by

Robert, prior of the monastery, whom Willis calls Robert Fortington, and who has been frequently called Robert the third.† He died, Willis says, in 1253, but, according to the Cotton manuscript, on the 12th of the kalends of December, 1254. His successor was

Thomas de Stoke, or Stokes, who was installed on the 2d of the ides of March following. He had been prior of St. James at Bristol; and died, according to Willis, in 1275, but, according to Bishop Kennett's *Diptycha*, in 1277. The election of his successor,

Richard de Norton, however, was confirmed on the 13th of the kalends of September, 1276.‡ He died on the 18th of the kalends of March, 1282; and was succeeded, on the 12th of the kalends of June, in the same year, by

Thomas de Kemsey. In 1300, he assisted at the funeral of the Earl of Cornwall;§ and during his administration, in 1301, John prior of Worcester came to visit the monastery of Tewkesbury, but the abbot shut the gates against him, alleging that it had been visited in the same year twice before; but Robert archbishop of Canterbury, by the sentence of the Court of Arches, in 1303, condemned the abbot of

* "A. D. 1225. P. Abbas Theok. Rom. proficiens in crastino sancti Gregorii papæ absolutus est a papa Honorio III. ab iis quibus falso accusabatur per episcopum Wigorn."—*MS. Cotton ut supr. fol. 17.*

† The form of Abbot Robert's election is given in the last edition of Dugdale's *Monasticon*.

‡ Reg. Giffard. Episc. Wigorn.

§ Upon the death of Edmund Earl of Cornwall, in 1300, the king wrote letters, among others, to the abbot of Tewkesbury, requiring him to meet the body at Hayles, upon Thursday after Palm Sunday, there to give his assistance in the celebration of the funeral.—*Dugdale*.

Tewkesbury for contumacy in resisting the above visitation.* From the Pat. Roll, 10 Edw. II. p. 1, it appears, that Abbot Kemsey was at Rome in 1328.† After being at the head of the monastery forty-six years, he died in 1328.

John Cotes was the next abbot.‡ He was elected in 1328, and died in 1347. His successor was

Thomas Legh, or de Legh, who was elected on the 20th of August, 1347,§ and died on the 16th of Oct. 1361.

Thomas Chesterton,|| cellarer of the monastery, was elected abbot on Nov. 24th, and confirmed on Dec. 9th, 1361. He died in 1389, according to Kennett; but Willis, by the transposition of a figure, says in 1398.

Thomas Parker, or Pakare, was the next abbot, and was elected in 1390. He was a considerable benefactor to the church, and in the year 1397 erected a very handsome chapel of carved stone-work over the grave of Fitz-Hamon the founder, for whose soul and for that of his wife he appointed a daily mass to be celebrated for ever. He died in 1420, or 1421, and was succeeded by

William de Bristol, or Bristow, who was elected in 1421, and died, it is said, in 1442.

* Angl. Sac. i. 527-8.

† Harl. MS. 6958.

‡ In the first year of the abbacy of John Cotes, at a public ordination in Tewkesbury abbey, on the vigil of Trinity Sunday, Adam de Orlton, bishop of Worcester, ordained acolytes 218, subdeacons 47, deacons 79, presbyters 62—in all 406; and at a subsequent public ordination, by Thomas Hemanall, bishop of Worcester, in this convent, on the 8th of June, 1338, there were ordained by him acolytes 204, subdeacons 141, deacons 117, priests 149—in all 611.—*Annal. Wigorn.*

§ In 1353, Reginald Brian, bishop of Worcester, made Thomas de Legh, abbot of Tewkesbury, his vicar-general.—*Thom. Worc. Cath.*

|| On the 13th of July, 1362, Thomas Chesterton, abbot of Tewkesbury, and the abbots of Gloucester and Winchcomb, were commanded by the pope to enthrone John Barnett bishop of Worcester, which was performed on the 18th of Sept. following. A few days after, the new bishop ordained that the priest in every church throughout the diocese should enjoin the people to pray for the cathedral church at Worcester; and that to all who should say a sufficient number of paternosters, ave marias, &c. or who should give any thing to the said church, he would grant forty days' indulgences.—*Thom. Worc. Cath.*

John Abington, or de Abingdon, is the next abbot on record; and he, in 1443, in the first year of his abbacy, stood godfather to Anne daughter to Richard Neville, Earl of Salisbury. The time of this abbot's death is unrecorded.

John de Salys is the next abbot mentioned by Willis, but without any date of election: he notices him as living in 1468. He was probably identified with John Galeys, mentioned as the abbot in 1453, in one of Cole's manuscripts. It has been conjectured that John Abington and John de Salys were the same person. The time of his death is uncertain.

John de Streynsham received the benediction as abbot in 1468. In 1475, Abbot Streynsham performed the baptismal ceremony for Edward the eldest son of George Duke of Clarence; and on Oct. 6th, 1476, Richard the second son of the Duke was born in the new chamber of the infirmary within the monastery of Tewkesbury. He died June 30, 1481.

Richard Cheltenham was elected abbot Aug 3, and confirmed Sept. 2, 1481. He assisted in his pontificals at the funeral of Prince Arthur, eldest son of King Henry the seventh, who was buried at Worcester in 1502. He died in the first year of the reign of Henry the eighth.

Henry Beoly succeeded him, and was confirmed abbot Nov. 22, 1509. In Blomefield's Book of Chevrons, the arms are given of "Lord Henry Beley, abbott of Tewkesburie;" and they also appear in the curious roll of parchment, representing the procession of all the lords walking to parliament in 1512, impaling those of his convent. The abbot of Tewkesbury leads the procession, being the first on the roll.* He was appointed visitor of the black monks in the diocese of Worcester, at a chapter of the monks held at Westminster in 1522.† His name occurs in Lord Herbert's History of Henry the Eighth, and in Collier's Ecclesiastical History, 1529. The time of his death is unknown, but his successor was

* Cole, MS. Brit. Mus. vol. xxvii.

† Archdeacon Furney, in his MS., notices an order from Abbot Beoly to the abbey of Gloucester, dated May 22, 1522, commanding all the monks of that abbey to appear at his visitation on the 2d of June.

John Walker, who is supposed to have been elected in 1531, and to have died the same year. Willis says, "he was buried under a marble stone, whereon was his coat of arms affixed, as I am informed from my worthy friend John Hare, esq. out of a manuscript at the Herald's Office."* On his decease,

John Wakeman, or, as Wood calls him, Robert Wakeman, succeeded to the abbacy. He was the second son of William Wakeman, of Drayton, in the county of Salop, and as an alias Wich, Wick, or Wyth, is sometimes appended to his name, the pedigree (Harl. MS. 6185,) makes him rector of Wyth—supposed by some to be Withington, in the county of Gloucester; others assert that the word Wyth is an error for the Mythe, where he is said to have had a residence. He was educated among the Benedictine monks in Gloucester College, Oxford, and held the abbacy of Tewkesbury ten years, until he surrendered the monastery at the time of the Reformation. Shortly after the surrender, Wakeman was appointed by Henry the eighth a king's chaplain, and, in Sept. 1541, being then bachelor in divinity, he was consecrated first bishop of Gloucester. He died in Dec. 1549, and was succeeded in the see of Gloucester by the protestant martyr, Bishop Hooper. During the time he held the abbacy of Tewkesbury, he erected a tomb for his place of burial, on the north side of a little chapel standing north-east of the high altar. Bishop Godwin says he was buried at Worthington, but he evidently meant Forthampton, where Wakeman had a house and private chapel. Hearne says, in his introduction to Robert of Gloucester's Chronicle, that, at a convocation, 32 Hen. VIII. when several bishops were appointed to peruse the translation of the Bible, the Revelations of St. John were assigned to John Wakeman bishop of Gloucester and John Chambers bishop of Peterborough.

* Mitred Abbeyes, i. 186.

CHAPTER X.

SUPPRESSION OF THE MONASTERY.

IT cannot but be matter of surprise, as well to those who are sensibly alive to the blessings we owe to the Reformation, as to those who consider that the interests of religion were weakened by that event, that the rapacity and injustice exhibited by Henry the eighth in the destruction of the monastic institutions, and the tyrannous behaviour of his inquisitorial commissioners, should not have called forth a more determined opposition from those who appeared to be the immediate objects of royal displeasure. The abbots and priors seem in some cases to have viewed almost with indifference this bold proceeding, and frequently surrendered their houses and revenues without a murmur; but this apparent apathy, it is reasonable to conclude, could only have been occasioned by promises of future advancement if they acquiesced in the king's demand, and by threats of vengeance in case of refusal. The instance of Wakeman, abbot of Tewkesbury, who obtained a mitre for his subserviency to the ruling powers, serves to confirm this opinion; and it is remarkable that though twenty abbots were present in the house of peers on the passing of the act, in 1539, which confirmed all resignations of religious houses already made or to be made, not one of them protested against it. As the king, in some instances, made gifts of the revenues of the convents to his favourites, or sold them on easy terms, the nobility and gentry were without difficulty reconciled to the measure; and the lower classes of his subjects offered no resistance to it, as they were led to believe that the abbey lands would produce sufficient to defray the whole expenses of government, and that taxes would no longer be

necessary; stories also, attributing to the monks the most scandalous excesses, and to the nuns vicious and debauched lives, were invented and actively propagated; and the reliques of the monkish orders, which had long been objects of popular veneration, were exposed to the vulgar gaze, and their alleged miraculous properties openly derided.*

Camden asserts, that there were suppressed, at different times, six hundred and forty-five monasteries, ninety colleges, two thousand three hundred and seventy-four chantries or free chapels, and one hundred and ten hospitals.

It has been calculated that the monks were proprietors of fourteen parts out of twenty of the whole kingdom; and that out of the six parts which were left for the king, lords and commons, there were four numerous orders of mendicants to be maintained, against whom no gate could be shut, and to whom no provision could be denied.

* Of all the impostures which were said to have been brought to light by the demolition of the religious houses, few exceeded that practised at Hayles abbey, near Winchcomb, which proved for many ages a source of immense revenue to the monks of that richly-endowed monastery. Here was shewn, as the monks affirmed, a portion of the blood of our blessed Saviour, brought from Jerusalem, in 1270, by Edmund Earl of Cornwall, son of the illustrious founder of the abbey; and it is easy to imagine the veneration with which such a sacred treasure was regarded in a superstitious age. This precious relique had, it was reported, the wonderful property of being wholly invisible to any one in a state of wickedness, but shewed itself instantly to those who by good works had obtained absolution. At the suppression of the monastery, the cheat was detected and divulged. Two of the monks, who were made acquainted with the secret, put into a phial, one side of which consisted of thin and transparent chrystal and the other of thick and opaque, the blood of some animal, which they renewed occasionally, and when any rich and devout pilgrim arrived, they failed not to shew him the dark side of the phial, until he had paid for as many masses and given as large alms as they thought fit to exact; when, finding his money, or patience, or faith, nearly exhausted, they imperceptibly turned the phial, and made the penitent sinner happy by a sight of the precious treasure! The story is thus related by Hume and others; and however absurd and unworthy of credit are some of the tales which were propagated respecting the monks, it cannot be doubted that a most wicked imposture was practised by them at Hayles; for Pinson, one of the earliest English typographers, printed, in quarto, "A Little Treatise of divers Miracles, shewed for the portion of Christ's blood in Hayles abbey; in meetre: how it was brought thither—the Pardons granted by the Popes and Reliques there."—See *Herbert's Ames*.

The monastery of Tewkesbury was the last of the religious houses in the county of Gloucester which surrendered to the commissioners of the arbitrary and avaricious monarch; and from an ancient manuscript, containing an account of the suppression and demolition of this abbey, which is preserved in the Augmentation Office, the following particulars were extracted by Bishop Burnet, and inserted in his History of the Reformation. This record thus commences:—

“The Certificate of Robert Southwell, esquire, William Petre, Edward Kairne, and John London, doctors of law; John Ap-Rice, John Kingsman, Richard Paulet and William Bernars, esquires, commissioners assigned by the king's majesty to take the surrenders of divers monasteries, by force of his grace's commission to them, six, five, four, or three of them, in that behalf directed, bearing date at his highness's palace at Westminster, the seventh day of November, in the thirty-first year of the reign of our most dread Sovereign Lord Henry the eighth, by the grace of God, King of England and of France, Defender of the Faith, Lord of Ireland, and in earth immediately under Christ supreme head of the Church of England, of all and singular their proceedings, as well in and of these monasteries by his majesty appointed to be altered, as of others to be dissolved, according to the tenour, purport, and effect of his grace's said commission; with instructions to them likewise delivered, as hereafter ensueth.”

The surrender* was made, under the convent seal, on the 9th of January, 1539.

* The preamble to the resignation of monasteries was generally to the following effect:—“That the abbot and brothers, upon full deliberation, certain knowledge, of their own proper motion, for certain just and reasonable causes, especially moving them in their souls and consciences, did freely, and of their own accord, give and grant their houses to the king.” Many of those surrenders were accompanied by a confession of the errors and vices prevalent in religious houses. In the Augmentation Office is preserved the confession of the prior and monks of St. Andrew's, Northampton, “in which, with the most aggravating expressions that could be devised, they acknowledged their past ill life, for which the pit of hell was ready to swallow them up. They confessed that they had neglected the worship of God, lived in idleness, gluttony and sensuality, with many other woeful expressions to that purpose.”—*Burnet's Reformation*.

The clear yearly value of all the possessions belonging to this monastery, as well spiritual as temporal, over and besides £.136. 8s. 1d. in fees, annuities and custodies, granted to divers persons by letters patent under the convent seal, for the term of their lives, was*£.1595 15 6

The following pensions were assigned by the commissioners to the abbot and other members of the monastery:†—

To John Wich, late abbot	£.266	13	4		
John Beoly, late prior	16	0	0		
J. Bromesgrove, late prior of Deer-					
hurst	13	6	8		
Robert Circester, prior of St. James	13	6	8		
Wm. Didcote, prior of Cranbourn	10	0	0		
Robert Cheltenham, B.D.	10	0	0		
Two monks, £.8 each	16	0	0		
One monk	7	0	0		
Twenty-seven monks, £.6. 13s. 4d.					
each	180	0	0		
				532	6 8
Remains clear	†£.1063	8	10		

* Speed and Dugdale state the yearly amount of the possessions of Tewkesbury monastery to have been £.1598. 1s. 3d.; but the roll in the Augmentation Office makes it no more than £.1566. 10s. 1½d. Monasteries were generally much richer than they appeared to be from the rent-roll of their estates; for instead of raising the rents, as the value of land increased, great fines were exacted from the tenants upon the renewal of leases. The real income of religious houses has therefore generally been reckoned at double the amount of their stated rental; and if to this be added the difference in the value of money betwixt that period and the present, it may be inferred that the annual revenue of the abbot and convent of Tewkesbury was equivalent to little less than £.40,000 in the present day.—For an account of the possessions of the monastery, at the time of its dissolution, see Appendix, No. 11.

† See Appendix, No. 12.

‡ Thus the crown came into the immediate possession of nearly two-thirds of the revenues of this monastery, with a reversion of the remaining third upon the death of the pensioners, exclusive of personal effects, and the patronage of forty-eight livings.

The records and evidences belonging to the monastery were directed to be left in the treasury there, under the custody of John Whittington, knight; but the keys were delivered to Richard Paulet, receiver.*

The houses and buildings assigned to remain undefaced were also committed to the custody of John Whittington, knight, and were as follow: the lodging called the Newark, leading from the gate to the late abbot's lodging, with the buttery, pantry, cellar, kitchen, larder, and pastry adjoining; the late abbot's lodging, the hostelry, the great gate entering into the court, with the lodging over the same; the abbot's stable, bakehouse, brewhouse, and slaughter-house, the almonry, barn, dairy-house, the great barn next to the Avon, the malting-house, with the garners in the same, the ox-house in the barton, the barton-gate, and the lodging over the same.

The following portions of the monastery were deemed to be superfluous: the church, with the chapels, cloisters, chapter-house, misericord, the two dormitories, the infirmary, with the chapels and lodgings within the same; the wark-hay, with another house adjoining; the convent kitchen, the library,†

* It is much to be lamented, that a greater portion of the records belonging to this monastery has not been preserved: there are some interesting documents in the British Museum and in the Augmentation Office, but it is to be feared that most part of the records which were placed by the commissioners in the custody of Whittington and Paulet, have been entirely lost.

† Bale, who was made bishop of Ossory by Edward the sixth, and was obliged to fly to Holland, on the accession of Queen Mary, for his opposition to popery, and who will therefore hardly be suspected of exaggerating the account of the destruction of the monastic libraries at the Reformation, says, "That a great nombre of them whych purchased those superstycyouse mansyons [the monasteries] reserved of the lybrary bokes, some to scoure their candlestycks, and some to rubbe their bootes, some they sold to the grossers and sopesellers, and some they sent over see to the bookebynders, not in small nombre, but at tymes whole shyppes full, to the wonderinge of foren nacyons. Yea, the universities of this realme are not all clere in this detestable fact." He adds, "I know a merchantman, whych shall at this tyme be namelesse, that boughte the contentes of two noble lybrares for forty shillings pryce, a shame it is to be spoken. This stuffe hath he occupied in the stede of graye paper by the space of more than these ten years, and yet

the old hostelry, the chamberer's lodging, the new hall, the old parlour adjoining to the abbot's lodging; the cellarer's lodging, the poultry-house, the garner, the almonry, and all other houses and lodgings not above reserved; and these were also committed to Sir John Whittington's custody.

The leads remaining upon the choir, aisles and chapels annexed, the cloister, chapter-house, frater, St. Michael's chapel, halls, infirmary, and gate-house, were estimated to be one hundred and eighty fodder.

The bells remaining in the steeple were eight poise, by estimation fourteen thousand six hundred pounds weight.*

The jewels reserved for the use of his majesty were—two mitres garnished with gilt, rugged pearls, and counterfeit stones.

The silver plate reserved for the king consisted of three hundred and twenty-nine ounces, silver gilt; six hundred and five ounces, silver parcel gilt; and four hundred and ninety-seven ounces, silver white.

The following ornaments† were reserved for the king's use: one cope of silver tissue, with one chesible, and one tunicle of the same; one cope of gold tissue, with one chesible, and two tunicles of the same.

The amount of all the ornaments, goods and chattels, belonging to the monastery, which were sold by the commissioners (as in a par-

he had store ynough for as many years to come; a prodigyouse example is this, and to be abhorred of all men, who love their nacyon as they should do."—*Dugdale's Monast. Abridg.*

* Burnet appears here to have fallen into two inaccuracies: the papers in the Augmentation Office state the lead to have been only eighty fodder, and the weight of the bells to have been fourteen thousand two hundred pounds.

† By ornaments, we are to understand articles for the use of the church, as plate, images, crucifixes, ampuls, candlesticks, basins, biers, vestments, pixes, crosiers, mitres, chests of relics, philatories, tabernacles, chalices, censers, chrismatories, copes, chesibles, altar-cloths, scerta or garlands, buckles, &c.

ticular book of sales more at large appears)

was £.194 8 0

From which sum the following payments
were made:—

To thirty-eight late religious persons
of the said monastery, of the king's
reward..... £.80 13 4

To one hundred and forty-four late
servants of the monastery, for their
wages and liveries 75 10 0

To divers persons for victuals and
necessaries supplied for the use
of the monastery; with £.10 paid
to the abbot, in full payment of
£.124. 5s. 4d. by him to be paid
to certain creditors of the said mo-
nastery, by covenants made with
the commissioners 18 12 0

174 15 4

Remaining clear..... £.19 12 8

After reciting a number of small debts, owing to and by
the monastery, this record of the commissioners concludes
with the following account of ecclesiastical livings in the gift
of the abbot:—

Gloucestershire..... Four parsonages and ten vicarages.

Worcestershire..... Two parsonages and two vicarages.

Warwickshire..... Two parsonages.

Bristol..... Five parsonages and one vicarage.

Wiltshire..... Two vicarages.

Oxfordshire..... One parsonage and two vicarages.

Dorsetshire..... Four parsonages and two vicarages.

Somersetshire..... Three parsonages.

Devonshire..... One vicarage.

Cornwall..... Two vicarages.

Glamorgan, &c..... Five vicarages.

Total, twenty-one parsonages and twenty-seven vicarages.

The lands and possessions of the monastery were, shortly after the dissolution, granted to various persons.

King Henry the eighth, in the thirty-sixth year of his reign, in consideration of the several sums of £.2280. 19s. 3d. and £.591. 13s. granted to Thomas Stroud, Walter Erle and James Pagett, gentlemen, the site of the abbey of Tewkesbury, with the buildings, gardens, orchards, &c. within its precinct; and also various other messuages, lands, fisheries, liberties, &c. to be held of the king by the twentieth part of a knight's fee, paying £.1. 11s. 0½d. annually. This property for many generations continued part of the possessions of the Earls of Essex; but the present earl, in the year 1824, disposed of the principal portion of it by auction, and it is now vested in a number of proprietors.

The Earls of Essex were also proprietors of other considerable estates, in Tewkesbury, Walton Cardiff, Ashchurch, Tredington, Fiddington and Cheltenham, which had been the property of the abbey of Tewkesbury.

A messuage, in the tenure of John Jefferys, was granted to Richard Andrews and Thomas Hisley; and one hundred and sixty-four messuages to John Pollard and Arthur Barte, 36 Hen. VIII.—A messuage, lands and tenements, were granted to John Bellow, 37 Hen. VIII.—Tenements, called Amner's Orchard, and other lands in Tewkesbury, and tithes of Sul-Mead and Dole-Meadow, and tithes in Swelle, were granted to Daniel and Alexander Perte, 7 Edw. VI.—Four acres in the Oxleys, lands in Barton-street, and at Brockhampton near Tewkesbury, were granted to Christopher Hatton, 18 Eliz.—Other lands in Tewkesbury were granted to Richard Robson, 6 Eliz.—The tithes of Brithwood, in Tewkesbury, were granted to John Fernham, 22 Eliz.—Lands called Hannocks, &c. and two mills on the Avon, were granted to Edw. Haslewood and Edw. Tomlinson, 23 Eliz.—Parcels of meadow in Amesham and Rushmead, in Tewkesbury, were granted to Geo. Salter and John Williams, in trust for Sir Baptist Hickes, 7 Jas. I.*

* Atkyns's Gloucestershire.

A fishery in the Severn, parcel of the abbey, was leased to Richard Brush, 30 Hen. VIII. at fifteen shillings per annum; and lands called Water-drawing, near the abbey mill, and Le Piller and the Mill Ham were let to John Hereford, esq. for sixteen shillings the clear yearly value.*

In the "Account of the Crown's Minister or Receiver of the dissolved Monastery of Tewkesbury," 33 Hen. VIII. now in the Augmentation Office, among various other entries, are the following:—"Five shillings for a chamber in Tewkesbury, lying and being within the church-yard of the same town, demised to Thomas Parker and his assigns, &c.—Also three shillings and four-pence for another chamber there demised to Hugh Whittington and John Hicke and their assigns, &c.—Also, two other chambers there together, situate near the belfrey, with a small garden adjoining, demised at a rent of eight-pence to Thomas Witherston and Richard Pulton and their assigns, &c."

The pension allowed to the abbot of Tewkesbury would be of itself a sufficient proof of the great riches of the monastery, as those pensions were generally apportioned to the worth of the house; though they were sometimes increased in consequence of no irregularities or vices being discovered by the visitors, and perhaps more frequently where the king's mandate was quietly submitted to. Few abbots received so large a pension as four hundred marks; though the abbot of St. Edmundsbury, on account of the virtuous conduct of himself and his house, and in order to induce him to surrender the immense riches appertaining to that celebrated monastery, had a pension of five hundred marks yearly assigned to him. These pensions were allowed during life, or until the parties could obtain benefices or preferment in the church: that of the abbot of Tewkesbury soon ceased, for, two years afterwards, he was appointed bishop of Gloucester; but a considerable number of the monks were alive and unbeneficed in 1553, and subsisted on their pensions. Willis† gives the following

* MS. Harl.

† Mitred Abbeyes.

list of those pensioners: Robert Cirecester, £.13. 6s. 8d.; Phill. Cardiff, £.8.; Tho. Newport, £.7.; John Welneforde, Richard Wimbole, Tho. Twining, William Stremish, Robert Aston, John Gates, Tho. Bristow, John Hertland, Tho. Thornborough, Hen. Worcester, Richard Cheltenham, Thomas Stanwey, and John Aston, each £.6. 13s. 4d.*

It seems that most of the buildings which were at first designed by the commissioners to remain uninjured, were afterwards by some means destroyed: Willis, in his History of Mitred Abbeys, says, they were burnt down by the visitors, in consequence of the opposition they met with from the monks; but as there appears to be no ground for supposing that any remarkable hostility was evinced towards the commissioners by the abbot or monks, it is more probable that they were destroyed by an accidental fire during the demolition of those parts which were deemed superfluous.

* See Appendix, No. 13.



CHAPTER XI.

DESCRIPTION OF THE ABBEY CHURCH.

OF an edifice so truly interesting in its history and architectural features, so rich in its monuments, and in such a fine state of preservation, it is our wish and duty to afford the reader every information in our power; and we therefore avail ourselves freely and fully of the labours of our predecessors, who have written on the subject. Among the cathedral and conventual churches of the country, it may be safely affirmed that few afford to the antiquary, architect, and historian, more abundant materials for illustration and disquisition, than the one now under notice. It is more truly Norman in design and arrangement than any other English church, and has some peculiarities and beauties not to be found in any edifice either of Normandy or England. Though mutilated, and abridged of its original "fair proportions" and extent, it is still spacious, lofty, grand, and imposing. At present it consists of a nave, with aisles; a porch, on the north side; a transept, branching from the central tower; a choir, with aisles, terminated, to the east, in a semi-octagonal shape; three chantry chapels, or oratories, on the south side; two others, to the north, and an appendage, called the lesser chapter-room, on the same side. The cloister, and Lady chapel, which formerly adorned the south side and east end of the church, are removed, and only small fragments of them remain. Beneath the arches of the choir are several splendid and highly interesting monumental chapels, whilst other monuments are attached to the side chapels and walls.

This venerable member of the splendid abbey of Tewkesbury was deemed by the commissioners appointed to take the surrender of monasteries, in the time of Henry the eighth, to be superfluous, and was by them marked for destruction ; but the pious feeling of the parishioners fortunately rescued it from demolition.

King Henry the eighth, in the thirty-fourth year of his reign, in consideration of the sum of £.483, granted and sold to the "bailiffs, burgesses and commonalty of the borough and town of Tewkesbury," the choir, aisles, chapels, vestry, steeple, bells, roofs, slates, lead, stone, iron, timber, images, tombs, grave-stones, glass, &c. and also the "soil, ground, site, precinct and circuit" of the church, as well as the church-yard, and all other things appertaining to the church, which at the time of the dissolution belonged to the abbot and convent.* From this grant it appears that the nave or body of the church had for a long time before the dissolution of the monastery been the parish church, and it was therefore not mentioned, in the bargain made between King Henry and his good subjects of Tewkesbury, further than in an acknowledgment of their previous right to the use of this portion of the edifice. How the parishioners originally acquired this right is uncertain ; but it has been conjectured that the towns-people purchased the privilege, by appropriating the tithes of the parish to the abbey, when their original parish church, (which is supposed to have been at the end of St. Mary's lane, where it communicates with the Church-street, near the Hop-Pole inn,) became so ruinous as no longer to be suitable for public worship. But from a report made to the Court of Augmentations, by the commissioners of Henry the eighth, it would appear that the body of the building had always belonged to the parishioners.

* The particular, which was drawn up by the king's commissioners, preparatory to the grant of the church to the parishioners, is preserved in the Augmentation Office ; and the original grant is in the Chapel of the Rolls, the usual repository for the enrolments in Chancery.—See Appendix, Nos. 14 and 15.

The church is generally supposed to have been built by Fitz-Hamon,* at the time he repaired and enlarged the abbey,† in the reign of Henry the first. Mr. King‡ conjectures that this powerful chieftain only built the western end, and that the range of pillars, which divide the aisles from the nave, were of an earlier date; but the Rev. Robert Knight§ endeavours to shew that Fitz-Hamon is justly entitled to the honour of being the founder of the whole building.

Although Fitz-Hamon is supposed to have completed the church in the year 1105, it appears that it was not dedicated until 1121.||

The coincidence of sizes, styles, and proportions of the columns¶ in the naves of the churches at Tewkesbury and Gloucester, implies that these divisions of the two churches were either the works of the same architect, or of nearly con-

* It has been said that, in building this church, it was Fitz-Hamon's intention to make what satisfaction he could for the injury done to the church of Baieux in Normandy, which Henry the first set fire to, in order to free him from prison.

† According to Leland, part of the religious edifices at Tewkesbury was built with stone brought from Prestbury, near Cheltenham. He also adds, that the materials of the tower were said to have been imported from Caen in Normandy.—*Itin.* vi. 85.

‡ *Munimenta Antiqua*, vol. iv.

§ *Cursory Disquisition on the Conventual Church of Tewkesbury and its Antiquities*, 8vo. 1818.

|| The ceremony of consecration was performed by Theulf, Thewold, or Theulphus, bishop of Worcester and prebendary of Baieux, assisted by Richard bishop of Hereford, Urban bishop of Glamorgan, and Gregory bishop of Dublin. The Cotton MS. Cleop. A. vii. fol. 8, assigns the date of the dedication to 1123, on the 10th of the kalends of November. But the Continuator of Florence of Worcester fixes that event to have taken place in November 1121; a date which seems to be the more probable, as Theulphus bishop of Worcester is stated, on the same authority, to have died on the 12th of the kalends of November, 1123.

¶ The shaft of the column at Tewkesbury measures twenty-seven feet high, by six feet three inches in diameter; and that at Gloucester is twenty-five feet nine inches by seven feet. An ample history and description, with several illustrations of Gloucester Cathedral, form one of the volumes of Mr. Britton's "Cathedral Antiquities."

temporaneous execution. That of Gloucester was built by Abbot Serlo in 1089, and this of Tewkesbury by Fitz-Hamon in 1105, *i. e.* within sixteen years of each other; but had the whole church been rebuilt after the fire of 1178, there would have been considerable variations in the style and proportions. The pointed arches of the choir may be referred to the latter date, and may be regarded as highly curious and interesting examples of the earliest pointed style in England. At Malmesbury, in Wiltshire, there are arches and columns of similar form and proportions.

The church, according to the Annals of Winton, in Wharton's *Anglia Sacra*,* was wholly destroyed by fire in 1178. It is remarkable, however, that this conflagration is wholly unnoticed in the Chronicle of Tewkesbury, in the Cottonian library, although it is recorded in another MS. in the same collection.† If the words of the Winton Annals, "*Combusta est et redacta in pulverem ecclesia de Theokesberia*," be taken in their full sense, the present edifice cannot be older than 1178, and consequently no part of Fitz-Hamon's church can be now remaining. "This conclusion," observes Mr. Amyot,‡ "though at variance with received opinions, will perhaps be warranted, on comparing the proportions of the pillars and round arches of the west front, nave and tower, with those of a more heavy and massy description, which are usually found in buildings known to have been erected in the early part of the eleventh century. It is true, that a few specimens of pointed arches, in other ecclesiastical edifices, may be traced to the period of the supposed re-building here referred to, especially where they are found intermixed, as in the porch of the Temple Church, with semi-circular and intersecting ones. But it is equally certain, that a general adoption of the pointed style did not take place till about the

* Vol. i. p. 301.

† Cleop. A. vii.

‡ Some Account of the Abbey Church of Tewkesbury, by Thomas Amyot, Treasurer to the Society of Antiquaries of London, in the fifth volume of *Vetusta Monumenta*, accompanied by fourteen engravings of plan, sections and elevations of the building.

end of the century ; and the absence of it, therefore, in the older portions of the church of Tewkesbury, will not impeach the date here attempted to be assigned to them."

Amid such conflicting opinions, it may be considered presumptuous here to hazard even a conjecture on the subject ; but, from the fact of the Abbey Chronicle being entirely silent respecting the supposed destruction of the church by fire, and from neither that nor any other record noticing at what time or by whom any other church was subsequently erected on its ashes, we may be permitted wholly to discredit the story of its being burnt down in 1178, and are decidedly of opinion that to Fitz-Hamon chiefly belongs the honour of erecting all the original portions of the present structure.

The plan of the church is cruciform, in shape of the Latin cross,* broken however by the various chapels, oratories, &c. at the eastern end.

The following are the dimensions of the church, and the different portions of it :—

	Ft.	In.
Total length from east to west (inside of the building)†	317	2
viz.	Ft.	In.
From the west door to the area of the tower	167	6
Diameter of the area of the tower	33	2
From the area of the tower to the altar ...	86	6
From the altar to the Lady Chapel	30	0

* Eustace, in his "Classical Tour in Italy," notices, that the form of the cross in ecclesiastical edifices was first introduced about the end of the fifth century ; and he is of opinion that it "very happily combines variety with unity, and beauty with convenience." This favourite form of the ecclesiastics of the middle ages has been thus eulogised by an architectural critic :—"The transepts vary the long line of the building by a confluxion of lines and angles, and preserve, by the partial exposure of battlements and pinnacles, the appearance of extent beyond what the eye can immediately comprehend, which is a common and important character of ancient architecture, the grandeur of which is no more the result of dimension, than its beauty is of ornament. The architects applied both as accessories, but depended on neither alone for the merit of their buildings."—*Observations on Magdalen College, Oxford.*

† Before the demolition of the Virgin Mary's Chapel, the building is said to have been at least one hundred feet longer.

	Ft.	In.
Total length of the transept from north to south, the area of the tower included	122	0
Breadth of the transept	33	2
Total breadth of the nave, with the pillars and side aisles adjoining	71	0
viz.	Ft.	In.
Breadth of the side aisles (each) from the wall to the pillars	12	9
Breadth, or diameter, of the said pillars, on each side	6	3
Breadth of the body of the church be- tween the two rows of pillars.....	33	0
Vaulting of the body of the church from the floor ...	67	0
Height of the outermost arch of the great west window	65	0
Breadth of ditto.....	34	0
Total western front on the outside	80	0
Height of the tower, measured from the ground to the coping of the battlements	132	0

The nave, which is constructed in the purest Norman style, cannot be too greatly admired for the grandeur of the architecture. It is separated from the aisles by nine massive uniform cylindrical columns on each side, which sustain

“ The arch'd and ponderous roof,

“ By its own weight made stedfast and immovable.”

These pillars support a series of semi-circular arches, above the crown of which runs a triforium, or gallery, cut through the wall, and opening into the nave by a range of double round-headed small arches; above these are the clerestory windows. The ceiling of the nave has been erected since the introduction of the pointed style of architecture: it is ornamented with groins, springing from corbel-heads, over each pillar; and at the intersections of the groins are various sculptured figures, many of which are represented as playing upon musical instruments. There are also some very fine heads, and many monstrous ones, with several singular groups of figures, beasts, knots of foliage, &c. Most of the figures and bosses, as well

as the corbels whence the ribs of the ceiling spring, were rudely painted, until the church was repaired in 1828, when these daubings, with the whole ceiling and walls, were made of an uniform colour, resembling, as nearly as was practicable, the original stone with which the church was built. Mr. King* thinks that the recumbent half-figures, male and female, which serve on each side as corbels for the springing of the arch of the ceiling, next to the west window, were designed to represent Fitz-Hamon, the founder of the church, and Sybille his wife; but Mr. Fosbroke† conjectures they were meant for Adam and Eve.

The side aisles are considerably lower than the nave; that on the north side is lighted with eight, and that on the south with five pointed arched windows,‡ which were probably introduced in lieu of smaller ones, about the same time that the choir was modernised. Thirteen windows, of a similar character, light the chapels and aisles which surround the chancel; there are three others in the vestry, and some smaller ones at the back of the altar.

The transepts are parts of the original structure; they consist of plain piers and semi-circular arches, with low narrow galleries over them, and the vaulting is similar to that of the nave. In the north transept is a fine Catherine-wheel window,

* *Munimenta Antiqua.*

† *Picturesque and Topographical Account of Cheltenham and its Vicinity*, 12mo. 1826.

‡ The windows have been repaired at a very considerable expense within a few years: the large window in the north transept was blown down in 1819; and the corresponding one in the south transept would soon have shared a similar fate, had it not been taken down and rebuilt in the following year. All the windows in the north aisle were blocked up to a considerable height, with stones and rubbish, until the church-wardens, in 1825, had them entirely glazed, which not only greatly improved the appearance of the exterior of the church, but gave increased light to the interior. The whole of the windows in the chapels at the eastern end, and some others, which had also been nearly darkened, were repaired in 1828; several of them were entirely renewed, and casements were introduced for the convenience of ventilation, to which before that time but little attention had been paid.

a large well-proportioned pointed one, and two others, smaller. In the south transept there are five windows, including one which was formerly circular, somewhat resembling that in the opposite transept, but which, from having its sides compressed and the top narrowed, is much disfigured. There is a large buttress, graduated in six stages, against the western angle of the south transept: this was probably built when the church was renovated, in the beginning of the last century; the fissures which are now visible in the walls, perhaps then demonstrated that some additional support was indispensable.

A modern screen supports the organ gallery, and separates the nave from the choir; but this addition, however much it may add to the convenience and comfort of those who attend divine service, little harmonizes with the general character of the building, and it also materially obstructs that unbroken view of the interior of the edifice which would otherwise be obtained.

The choir, or that portion which lies to the eastward of the tower, has undergone greater alteration than any other part of the structure. Mr. Bentham informs us, that "in Henry the third's reign, the circular arch and massive column seem wholly to have been laid aside; and the pointed arch and slender pillar, being substituted in their room, obtained such general approbation throughout the kingdom, that several parts of those strong and stately buildings, which had been erected in the preceding age, were taken down in order to make room for this new mode of building." As Abbot Parker, who died about 1420, is known to have added considerably to the building of this church, we may perhaps safely infer, that the choir and chancel, which formed the most sacred parts of it,* were altered to their present state during his abbacy.

* The chancel is that part of the choir of the church between the communion table and the screen that separates it from the nave; it has always been considered as the most sacred part of the church; and, by ancient constitutions, no woman was allowed to stand within the chancel, or to approach the altar; and this custom continued until the Reformation.—*Gibson's Codex*, i. 175.—*Archæologia*, xi. 388.

Upon the original massive circular columns, which are of a corresponding character with those in the nave, (but shortened to their present form for the purpose of effecting the improvements of later periods,) the choir rises in pointed arches to the roof, which is adorned with a profusion of tracery, and at each intersection is a richly sculptured flower, or knot of foliage. The peculiar character of the architecture of the upper part of the choir is that which is distinguished by the name of the decorated style, and the effect of that portion of the fabric is singularly grand and beautiful.

At the east end of the church are four chapels or oratories,* two on the south and two on the north side: the one nearest to the vestry-door, and to which Abbot Cheltenham's tomb serves partly as a screen, has a piscina in the south wall; but it is uncertain to whom either that or the next chapel to the eastward was dedicated: in the latter, on the left of the place where the altar stood, there is an ambry or cupboard, designed for holding the official articles used by the priest in celebrating mass, and a piscina is as usual on the right. Probably these were the chapels dedicated to St. George and to St. John the Baptist, as it is known that there were chapels which bore the names of those saints in our church.†

* Bingham says, "the use of oratories was for people to retire into that were minded to give themselves to reading, or meditation, or private prayer;" whilst, in chapels, particular services were performed, for the good of the souls of those over whose remains they were built.

† Jeffrey Goughe, by will, in 1525, bequeathed his body to Tewkesbury church-yard; to the high altar of the parish church of Tewkesbury, four-pence; and to St. George's chapel, in the said parish church, two-pence.—And John Prynce, of Tewkesbury, in 1524, appointed by his will, that if his sons, Humphrey and John, die without heirs, then Francis Folyatt, Mr. John Clement, rector of Bishop's Cleeve, and others his feoffees, together with the two bailiffs of Tewkesbury for the time being for ever, shall enjoy all his lands, tenements, and half a burgage in Tewkesbury, in Oldbury-street, together with his lands, tenements, woods, underwoods, and their appurtenances, in Awre, Etloe, Blakeney and Lydney, within the Forest of Dean and hundred of Bledisloe, with an intent that they may find yearly one fit chaplain for ever to celebrate mass, in the chapel of St. John the Baptist, in Tewkesbury, for the souls of Prynce, his wife, parents, sons and daughters, and of all faithful departed. The chaplain to receive nine marks for his salary.

The curious chapel of St. Edmund the Martyr, in the front of which is placed what is vulgarly called the skeleton of the starved monk, is on the opposite side of the church. The legend, reporting St. Edmund to have been shot with arrows and beheaded, and a wolf defending his head, was formerly described in fret-work on this chapel, but no traces of it are now to be seen.

To the westward of the above, is the chapel dedicated to St. Margaret, which is inclosed partly by a screen capped with battlements, with the beautiful tomb of Sir Guy O'Brien in the centre. In the wall are an ambry, and two piscinas; one of which is larger than usual, differently situated, and must have been designed for a purpose somewhat dissimilar to that of piscinas in general.

There are not the least traces of an altar in either of these chapels, or in any of the others within the church.

There are in the choir seven large windows of stained glass;* these form a most beautiful termination to the fine view from the more western parts of the church. In the two opposite windows, next to the tower, are eight curious whole-length figures of knights in armour, represented as standing under very rich Gothic canopies, each nearly filling one of the principal compartments of the window; some are in mail, others in plated armour, and all of them have arms on their surcoats. The upper and smaller compartments of these windows are filled with scrolls of vine branches, on a brilliant red ground, disposed in the most elegant taste.† The window on the north side exhibits Fitz-Hamon, the founder; Robert, his son-in-law, first Earl of Gloucester; one of the De Clares; and Hugh le

* "In the lighter style of Gothic, the apertures for windows were so numerous and so large, as to admit too great a portion of light. To abate the glare, without entirely excluding the light, the expedient of glazing the windows with painted glass was adopted, which at the same time that it prevented the evil, was in itself also a decoration."—*Hawkins's Hist. of Goth. Architect.*

† Lysons's Observations on some of the Tombs in Tewkesbury Church. —*Archæologia*, xiv. 143.

Despenser the second.* That on the opposite side displays, the three other earls of the line of De Clare, and the Lord William de la Zouch. These portraits, from their early date, furnish some of the most satisfactory references for baronial costume to be found in the kingdom; and Mr. Gough† says, that in four of them we have specimens of the ancient Gonfanons, *i. e.* small plates of steel placed on the shoulders, so called from their resemblance to the flags called Gonfanons.

In the other side windows, and in that at the end of the choir, are seen figures of the Virgin Mary,‡ Daniel, Jeremiah, Solomon and Joel; as well as a number of apocryphal personages, whose history is only to be found in the legends of the Romish church. Various escutcheons, some of which are in a most dilapidated state, are still visible in these beautiful windows;§ but, through ignorance, the modern glaziers, who have at various times been employed to repair the glass, have in some instances made blazonings of their own, out of the

* Mr. Brooke, the late Somerset Herald, thinks this figure was intended for Thomas le Despenser; but Mr. Lysons gives the most satisfactory reasons for a contrary opinion. Mr. Brooke also supposes that the figure, in the opposite window, which we have ascribed to Lord William de la Zouch of Mortimer, was intended for Ralph de Monthermer.

† Sepulchral Monuments, Introd. II. ccxii.

‡ The figures of the Virgin Mary and the Prophet Joel, in the first and fourth compartments of the centre window, had transparent glass substituted for the parts representing the heads, until they were restored, in 1828, to the state in which they now appear, by Mr. Collins, of the Strand. The manner in which this distinguished artist has perfected these figures is a proof of his taste and abilities, and his refusing to accept of any compensation for it strongly manifests his liberality.—Similar instances of the substitution of white for the original coloured glass, are not unfrequent in ancient painted windows, and proceed generally from the partial injury committed by the warlike zealots of the seventeenth century.

§ Mr. Knight says, “Besides the arms of the founder and principal benefactors, and those of the abbey, we have, in different parts of these windows, the arms of Joan D’Acres, (married to the second Gilbert de Clare,)—of Mortimer,—D’Amorie,—and Le Zouch;—to which may be added, as belonging to persons unknown, *Argent, five bars azure—Or, a lion sable crowned*: others might be discovered by skilful persons, acquainted with the subject, and given to their right owners.”—See Appendix, No. 16.

scattered pieces of stained glass, and have thus made incongruous compounds of heraldic ornaments.

The tower, resting upon four immensely strong piers, rises above the body and transepts on a plain base, in which are introduced two windows on each side, with an ornamental super-structure divided into three stories, above which is a comparatively modern embattled parapet, with lofty clustered pinnacles at the angles.* The first story is adorned with a range of columns and arcades, admitting three windows in each quarter; the second division exhibits a remarkably curious series of intersected arcades, such as have been thought by some to have given the first idea of the Gothic or pointed arch;† and this is surmounted by another range of columns and arcades, similar to those on the lower story.

The tower is in height, from the ground to the coping of the battlements, one hundred and thirty-two feet, but its unusual bulk diminishes in some measure the appearance of its actual loftiness. Robert Earl of Gloucester erected a wooden spire of great height upon the top of the tower, which fell

* On one of the pinnacles of the tower is the following inscription:—
 “John Cooke and Tho. Deacons, C. Wardens, erected this battlement and pinnacles, Anno Dom. 1660.” Probably, before that period, the tower was surmounted by an open parapet of indented work, with smaller and plainer battlements, similar to those which now adorn the eastern portion of the church. In 1825, the north-west pinnacle was found to be in so dilapidated a condition, that it was of necessity taken entirely down, though many of the old materials served in its re-erection; all the other pinnacles were at the same time repaired, at no inconsiderable expense.

† The Rev. J. Bentham, in his *History of Ely Cathedral*, and the Rev. J. Milner, in his *History of Winchester*, are of this opinion; but Bishop Warburton, in his *Notes to Pope's Epistles*, supposes that the Goths invented this species of architecture in endeavouring to imitate the solemn and beautiful scenes of nature, as seen in an extended avenue of lofty trees. Lord Orford observes, “Shrines for reliques were probably the real prototypes of this fine species of architecture; it was a most natural transition for piety to render a whole church, as it were, one shrine: the Gothic style seems to bespeak an amplification of the minute, not a diminution of the great.” Mr. Britton, in his *Chronological History of Christian Architecture*, has given a full review of the opinions of all preceding antiquaries on the origin, history and characteristics of the Pointed Arch, with numerous illustrations.

down during the performance of divine service on Easter-day, 1559; and as the pinnacles and battlements were completed in the following year, it may be inferred that so much damage was done by this accident, as to render some alterations necessary.

It has been thought that this tower was not in the first instance intended for bells, but that it was one of those which, in the words of Mr. Warton, was "calculated to produce the effect of the *louvre*, or open lantern, in the inside; and on this account originally continued open almost to the covering." The same ingenious author observes, in his *Observations on Winchester Cathedral*, "nearly the whole of the inside of this tower was formerly seen from below; and, for that reason, its side arches or windows, of the first story at least, are artificially wrought and ornamented." Upon this passage, Mr. Knight, in his *Disquisition on Tewkesbury Church*, pointedly observes, "the same remark might be applied to the tower in question; where we may perceive, in that part of it now used as a belfry, more pains employed in the workmanship, than, if it had always been shut up from the church below, as it now is, would probably have been bestowed upon it. The present floor of this room is laid upon a vaulted ceiling, springing from corbels of more delicate execution than those in the nave, and bearing evident marks, from the pointed style of it, and from the arms which occur in it, of a much later date than the tower itself. In the walls surrounding it, there is the same sort of gallery, as in the nave and transepts, for the purpose of giving access to the higher parts of the building; which would be wholly without a meaning in this place, if we could suppose that the present floor had always belonged to it."

The idea that bells were not primarily intended to be placed in this tower is further confirmed by the erection of a *campanile*, or bell-tower, apart from the church, which has been described in a preceding chapter. In the tower are eight bells,* a set of chimes, and an excellent clock.

* In the reign of Henry the eighth there were eight bells in the tower: for many years prior to 1612, there had been only four, but they were in-

The apex of the roof of the church was formerly much higher than it is at present: the height and figure of the original wooden roof are still visible in a projecting wall-plate, or weather moulding, on the sides of the tower. The loftier covering was taken down to make room for the present stone-groined ceiling, which is thought to have been erected subsequent to the reign of Henry the third,* as these ceilings did not come into use until about that period.

It is stated, in the records of the corporation, that the long roof of the church was taken down in 1593, and re-placed in the following year; and that, in 1603, "the roof of lead and timber over the chancel was taken down, new framed, laid lower, and covered new," at the expense of the town. But if the long roof was taken down in 1593, it is extraordinary that it should have been necessary to have had a new one in little more than a century afterwards.

The long roof had become in so dilapidated a condition in the year 1720, that it was found impracticable to raise a sufficient sum of money within the parish to repair it; upon which it was resolved to obtain a brief for that purpose, as well as for the general reparation of the structure. The brief, which was granted by the Right Hon. Lord Chancellor Parker, and is dated Feb. 25, 1720, states that the expense of reparation was estimated at £.3929; and that the parishioners had "expended in repairs in a few years £.1337, and in the last

creased in that year, to five. In 1632, these five bells were re-cast, and another added, at an expence to the parish of about £.100; and in 1696, the six old bells were re-cast, and two additional ones procured, the expense being defrayed by voluntary contribution. Several of the bells have been renewed within the last century, and some of them require re-casting at the present time.

* The buttress to the wall of the north aisle, projecting into the church-yard, was perhaps rendered necessary in consequence of the great pressure occasioned by the additional weight of the present ceiling: this buttress would appear to have been built at the time the roof was taken down, about the year 1723, though a more ancient one might have stood there prior to that time. The buttresses at the eastern end of the church, from the following inscription, which is now discernable upon one of them, seem to have been erected in 1680: "Jo. Peyton, Ja. Simpson, Churchwardens, 1680."



TEWKESBURY ABBEY CHURCH.

1891

THE END OF THE WORLD

year, in two levies, £.384, but that the whole roof must be taken down and new framed, and the lead new cast, several buttresses be erected, and several arches rebuilt.* The brief realised the sum of £.1470, and a subscription produced £.81. 19s.† The reparations were commenced in 1723, and completed in 1726.

One of the most popular and admired features of the church is the semi-circular receding arch, sixty-five feet in height and thirty-four feet wide, which forms part of the western front. Mr. Knight properly terms this a “chef-d'œuvre of Norman skill.” It is now filled by a pointed window of seven bays; four transoms again divide it into five stories, each compartment forming a pointed arch, feathered. The present window was erected in the year 1686, in place of one that was blown down during a violent storm on the 18th of Feb. 1661. In its original state, this fine Anglo-Norman arch, which is supported by six slender cylindrical pillars on each side, probably contained several small windows, somewhat similar to those in the tower, with a door-way beneath them. It is not supposed that a window, of a description similar to the present, could have occupied its situation prior to the reign of Edward the third; a large one might have been placed there at the same time that the pointed windows were introduced in the aisles. There are two turrets at the angles, with a stair-case in each, and surmounted by clustered pinnacles, of singular form and design.

The usual entrance to the church is through a fine and spacious porch,‡ or vestibule: in the outside wall is an image of the Virgin Mary, the patroness of the church, which appears at some distant period to have been wantonly defaced.

* Cole, MS. Brit. Mus. vol. 27.

† See Appendix, No. 17.

‡ The porch was a very ancient appendage to the church; and although it has been usually considered as a mere ornament, yet it had in ancient times its special uses. In that part of the will of Henry the sixth, relative to the foundation of Eton College, are these words: “Item, in the south side of the body of the church, a fair large door with a porch, and the same for christening of children and weddings.”—*Royal Wills, by Nichols.*

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On the outside of the south wall, west of the transept, there are some remains of the fine cloisters, which appear to have been very richly ornamented; they are nearly of the same style of architecture as those of Gloucester cathedral, which are known to have been erected in the latter part of the fourteenth century.* There is also, at the eastern end of the cloisters, a beautiful circular arch, containing within it the pediment of a lancet-shaped door-way, most delicately executed, which once led from the cloisters into the church, but it is now blocked up with fragments of ancient sculpture, with the exception of a small aperture at the top, into which an ill-proportioned window has been slovenly thrust. This pointed arch, and the exquisite tabernacle-work which surmounts it, though deprived of the images with which it was once adorned, is worthy of admiration, but can only be seen to advantage on the outside of the building.

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and many of them restored; the centre of the floor of the nave, from the western entrance to the screen which supports the organ, and the cross-walk from the porch to the southern wall, as well as the porch itself, and the eastern portion of the south transept, which before were not only very uneven, but in many parts rudely covered with common bricks and fragments of old grave-stones, were appropriately paved with Painswick free-stone; the remainder of the nave, aisles, transepts, &c. was levelled, the grave-stones were re-laid, and blue stone was in most places substituted for the old bricks which had before filled the spaces between the graves; the steps leading into the porch were renewed; one half of the screen, opposite to the vestry-door, which had been long broken down, was restored; twenty additional seats were made in the chancel; and the soil, which had been suffered to accumulate against the walls, in the church-yard, and on the southern side of the church, was, so far as was practicable, removed, and the foundations of the building underwent very extensive reparation.

Had the funds been adequate to the undertaking, it was at the same time intended to have repaired the seven large painted windows in the choir; removed the present altar-piece, and substituted one more in unison with the other portions of the church; restored the ancient stone stalls and the Countess of Warwick's chapel; completed the reparation of the various other chapels and tombs; grouted with the best material, the ceilings in every portion of the fabric; boarded and raised the vestry floor; procured a set of new bells; and placed large pipes down the sides of the tower, for the purpose of conveying the water from the top to the long roof; and it will be much to be regretted, if means are not shortly found to effect these and many other improvements in this interesting building, which has been perhaps justly termed "the finest parish church in the kingdom."

The church-yard, although it may be said to be extensive, is much too limited for so populous a parish. Some efforts

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granted to monastic institutions; but as it is known that baptisms were solemnized in this church at a very early period, the present font may be quite as old as its appearance would indicate. It bears the following inscription:—

“One Lord, one Faith, one Baptism. *Ephes. 4. v. 5.*”

Over this chapel is a dark cell or apartment, traditionally denominated “the nun’s prison:” why it should have been so called, it would be fruitless to conjecture; but some have in consequence supposed it to have been used as a place of confinement for such as offended against the rules of the abbey.

On the south side of the altar are three curious canopied stone stalls,* two only of which are visible, the third being concealed by the altar-piece. They were designed for the use of the priest, deacon and sub-deacon, in the celebration of mass. “These are composed of high pointed cinquefoil arches, supported by thick lozenge-formed columns, divided into a great number of small mouldings, chiefly of the ogée and hollow form. Above the arch is a pediment, on each side of which is a niche. The whole is enriched with a quantity of foliage, executed in a bold style. At the top of the columns are the remains of animals, but so mutilated that it is impossible to say what species they were intended to represent. The plinth and seat appear modern. It is to be regretted that the upper parts of these curious and beautiful stalls are lost.”†

The venerable oak seats, curiously carved and canopied, which once stood against the piers of the tower, are now dispersed about the church: they were, like those in other

* The *sedile*, or stone stall, is found in many of our churches, and has been very differently accounted for by antiquaries. Some have called them confessionaries; and others assert, that they were constructed solely for the priest to sit in at certain intervals during the celebration of the mass. That they were designed to accommodate bishops and other ecclesiastics, whose office it was to visit churches, is another conjecture; as well as that their chief use might be referred to the dedication of the church. They are generally placed near the altar, in the south wall of the chancel, frequently under beautiful subdivided Gothic arches, enriched with buttresses, finials, &c. Between the seat and the east wall is a small niche, generally in the same style, for the piscina.—*Archæologia*, xi.

† *Vetusta Monumenta*, vol. v. p. 10.

ancient churches, made to lift up, to accommodate worshippers in the several postures of kneeling, sitting or standing;* and underneath the seats are various carved grotesque figures of reptiles, fishes, &c.

On the side of one of the pillars, beneath the tower, near the Countess of Warwick's chapel, is a curious piece of carved wood work, which Mr. Knight and others have thought to be designed as an ornament to the saint's bell: it is however far more probable that it was a cresset, for a lamp.†

There is a niche for the holy water, with which the frequenters of the sacred edifice crossed themselves on entering it, in a pillar near the north entrance; and a very ancient stone bracket, somewhat defaced, designed for holding a candelabrum, when the church was lighted, remains in the southern aisle of the nave, between the cloister door-way and the transept.

Piscinæ‡ occur in many of the chapels, but there are no vestiges of the principal one, which of course stood near the

* "That small shelving-stool," says Milner, "which the seats of the stalls formed when turned up in their proper position, is called a *miserere*. On these, the monks and canons of ancient times, with the assistance of their elbows on the upper part of their stalls, half supported themselves during certain parts of their long offices, not to be obliged always to stand or kneel. This stool, however, was so contrived, that, if the body became supine by sleep, it naturally fell down, and the person who rested upon it was thrown forward into the middle of the choir. The present usage in this country is to keep them always turned down, in which position they form a horizontal seat, an indulgence that was very rarely granted to those who kept choir in ancient times."

† Mr. Knight conceived this to have been of stone, and in his observations upon it, says, it "seems to have epitomized most of the riper beauties of the Gothic school:" and adds, "its tabernacle work, pinnacles and buttresses entitle it to peculiar praise." It is however carved in oak, and two of its pinnacles were surreptitiously obtained by the workmen who were employed in pewing the church, in 1796, and were used by them as patterns for some of the ornamental work around the galleries, &c.

‡ A *piscina*, or *lavacrum*, is a perforated basin of stone, placed in a small niche, or *fenestella*, cut in the substance of the south wall. It is usually situated near the *sedilia*, being evidently designed for the use of the altar, which formerly adjoined that part of the church; but it is not unfrequently found alone in the south walls of chancels and aisles. Some-

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Between the years 1824 and 1830, the church underwent an extensive reparation, at an expense of upwards of £.3000. The whole of this sum, (with the exception of about £.700, the amount of a voluntary contribution,)* was raised by rates upon the inhabitants of the parish. The exterior of the tower, which had probably remained untouched from the time of its erection, was carefully examined, and as the dilapidations in this portion of the fabric were very considerable, new stones were introduced wherever the old ones had become decayed; shelving stones were introduced into the windows of the tower, in lieu of unsightly bricks, with which they had before been nearly darkened; the transept walls, and the roofs, were also repaired and strengthened; one of the pinnacles on the central tower was re-built, and the others, as well as those over the western portal, were completely repaired; portions of the leaden covering, gutters and pipes were renewed, and the remainder were put into a state of perfect repair; spouts were added on the south side, and capacious drains made to carry off the water from the foundations; large sums of money were expended upon the windows; the whole of the interior of the church, which had before been covered with white-wash, was scraped, cleaned, and coloured in distemper, to match the original stone, the walls and pillars in many places being first repaired, pointed and cemented; all the tombs were cleaned,

* See Appendix, No. 18.

and many of them restored; the centre of the floor of the nave, from the western entrance to the screen which supports the organ, and the cross-walk from the porch to the southern wall, as well as the porch itself, and the eastern portion of the south transept, which before were not only very uneven, but in many parts rudely covered with common bricks and fragments of old grave-stones, were appropriately paved with Painswick free-stone; the remainder of the nave, aisles, transepts, &c. was levelled, the grave-stones were re-laid, and blue stone was in most places substituted for the old bricks which had before filled the spaces between the graves; the steps leading into the porch were renewed; one half of the screen, opposite to the vestry-door, which had been long broken down, was restored; twenty additional seats were made in the chancel; and the soil, which had been suffered to accumulate against the walls, in the church-yard, and on the southern side of the church, was, so far as was practicable, removed, and the foundations of the building underwent very extensive reparation.

Had the funds been adequate to the undertaking, it was at the same time intended to have repaired the seven large painted windows in the choir; removed the present altar-piece, and substituted one more in unison with the other portions of the church; restored the ancient stone stalls and the Countess of Warwick's chapel; completed the reparation of the various other chapels and tombs; grouted with the best material, the ceilings in every portion of the fabric; boarded and raised the vestry floor; procured a set of new bells; and placed large pipes down the sides of the tower, for the purpose of conveying the water from the top to the long roof; and it will be much to be regretted, if means are not shortly found to effect these and many other improvements in this interesting building, which has been perhaps justly termed "the finest parish church in the kingdom."

The church-yard, although it may be said to be extensive, is much too limited for so populous a parish. Some efforts

were made to enlarge it in 1820, by adding to it the piece of inclosed land to the westward, on which the vicarage-house has since been erected; but the proposal met with such decided opposition from many of the parishioners, on the plea of economy, that the idea was altogether relinquished. The walk from the street to the north entrance of the church was first paved, by subscription, in 1750: the iron gates at the porch were at the same time given by the Right Hon. Lord Gage, and those adjoining the street, with the palisades, were presented by Wm. Dowdeswell, esq. The walks are shaded with uniform rows of fine trees,—the range of chesnuts, on the sides of the principal gravelled walk, are flourishing and ornamental; these, as well as the limes and elms, were planted in the year 1725.

CHAPTER XII.

ANCIENT MONUMENTS IN THE CHURCH.

THE connection between sepulchres and places of worship is of very great antiquity: the Greeks placed their tombs in and near their temples; and the Romans, until the law of the Twelve Tables restricted them, did the same; and no reasonable objection could perhaps be urged to the practice, if the dead were not, especially in populous cities and towns, sometimes so crowded together, as to endanger the health of the living.*

* On the subject of burying in churches, Dr. Hall, bishop of Norwich, observes, "I must needs say, I cannot but hold it very unfit and inconvenient, both : first, in respect of the majesty of the place ; it is the Lord's House ; the Palace of the King of Heaven ; and what prince would have his court converted into a charnel-house ? How well soever we loved our deceased friends, yet, when their life is dissolved, there is none of us but would be loth to have their corpses inmates with us in our houses ; and why should we think fit to offer that to God's house, which we would be loth to endure in our own ? The Jews and we are in extremes this way : they hold the place unclean where the dead lies, and will not abide to read any part of the Law near to aught that is dead ; we make choice to lay our dead in the place where we read and preach both Law and Gospel. Secondly, in regard of the annoyance of the living ; for the air, kept close within walls, arising from dead bodies, must needs be offensive, as we find by daily experience ; more offensive now than of old to God's people : they buried with odours : the fragrance whereof was a good antidote for this inconvenience ; ('she did this to bury me,' saith our Saviour;) not so with us ; so the air receives no other tincture than what arises from the evaporation of corrupted bodies."

"He," says Osborn, "that lies under the herse of heaven, is convertible into sweet herbs and flowers, that may rest in such bosoms as would shriek at the ugly bugs which may possibly be found crawling in the

That our Saxon ancestors, in common with other northern nations, at one period burnt their dead, is unquestionable; but Turner, in his History of the Anglo-Saxons, observes, that, "the custom of interring the dead had become established at the era when their history began to be recorded by their Christian clergy." They did not however at first bury in towns, but frequently on the ridges of hills, upon open plains, or by

magnificent tomb of Henry the seventh."—"The gradual introduction of the present practice of burying in churches is traced by Bingham, with his usual erudition. It began in the respect paid to the remains of martyrs, which originated in a noble feeling, but soon degenerated into the grossest creature-worship, and produced frauds and follies innumerable. Churches were first erected over the ashes or bodies of saints and martyrs, or the remains were translated to the churches. As the devil began to act a greater part in hagiographic romance, it was thought good policy to be buried as near as possible to the remains of those great champions who had carried on the war against him with such heroism while they were living, and whose very dust and ashes he was believed to dread. Emperors and kings began by obtaining this protection for themselves, but they were contented with a place in the porch or galilee. In the sixth century the common people were allowed places in the church-yard, and even under the walls of the church. By the time of Charlemagne, they had got into the church; and an attempt was made at the council of Fribur, a synod held in this reign, to put a stop to the abuse. It appears, however, from this synod, that the clergy had established for themselves a privilege of lying in the church, for it is the burial of laymen there which is prohibited. In the year 900, the emperor had repealed all former laws upon this subject: burial within the cities was then expressly permitted, and graves in the churches were soon allowed to all persons who could pay for them. From that time, the manifold evils of this senseless custom have been repeatedly exposed: it continues to prevail, nevertheless, and will continue till the inconvenience of it becomes so great as to render an effectual change necessary."—*Quart. Rev. No. 42.*

Bishop Burnet, in his Life of Sir Matthew Hale, asserts, that the conscientious judge desired to be interred in the church-yard of Alderley, in the county of Gloucester, observing that churches were for the living, and church-yards for the dead.

Mr. Britton, in his "History and Antiquities of Bath Abbey Church," in which work is an interesting Essay on Epitaphs, by the Rev. Joseph Coneybeare, says, "the custom of interring bodies within churches is much to be deplored. It is not only injurious to the stability of buildings, but is repugnant to all the finer feelings of our nature. Can any thing be more unpleasant than a knowledge that the whole earth, beneath the flooring of a church, consists of human remains."—See also Wren's "Parentalia," wherein Sir Christopher Wren strongly reprobates this barbarous practice.

the road side, and many such places of interment are still visible in various parts of the kingdom.

Before the time of Pope Gregory, called the Great, about the year 606, the dead were always buried out of the cities and towns; but the recital of mass for the dead being then invented, sepulture became the source of great gain, as every one left largely to have masses said in order to pray his soul out of purgatory; and the better to secure their fees, the clergy made burial grounds round the churches.

Cuthbert, the eleventh archbishop of Canterbury, about the year 750, obtained a dispensation from the pope, for the making of cemeteries within cities and towns in England; and Lanfranc, a succeeding archbishop, in 1075, is generally said to have been the first who introduced the construction of vaults and interment near the high altar.* Sepulture in churches was speedily followed by the erection of monuments, with inscriptions engraved upon them, to perpetuate the remembrance of the dead.

In the reigns of Henry the eighth and Edward the sixth, commissioners were appointed in each county to deface every image, shrine, or relic, which tended to idolatry or superstition; and under colour of this authority, great devastation was committed on the sepulchral monuments in many of our churches. Queen Elizabeth, early in her reign, endeavoured by proclamation to prevent the “breaking or defacing of monuments of antiquity in churches or other public places for memory and not for superstition;” and finding this to be unavailing, she subsequently issued another proclamation, charging the justices of her assize to provide an adequate punishment for such offences. But in consequence of the growing spirit of puri-

* “Thus began corpses to be buried in churches, which, by degrees, brought in much superstition, especially after degrees of inherent sanctity were erroneously fixed in the several parts thereof,—the porch saying to the church yard—the church to the porch—the chancel to the church—the east end to all—*stand farther off, for I am holier than you*; and, as if the steps to the high altar were the stairs to heaven, their souls were conceived in a nearer degree to happiness, whose bodies were mounted to be there interred.”—*Fuller's Church History*.

tanism, these proclamations were of little effect. During the usurpation of Cromwell, these outrages were carried to still greater lengths: not only were monuments indiscriminately defaced, but churches were frequently converted into stables,* and every indignity which fanatical zeal could suggest was inflicted upon the sanctuaries of the dead.

Many of the monuments in the church of Tewkesbury were, during these unsettled times, either shamefully destroyed or mutilated; yet there are happily still remaining several to interest our feelings and excite our veneration, both on account of the richness of their decorations and the eminence of the persons to whose memories they were erected.

The total ruin of that fine appendage to the church, the Lady Chapel,† has rendered it impossible for us to describe the splendid monuments which were placed within it, to perpetuate the memory of individuals of the noble families of the Clares and Despensers; and perhaps the destruction of this beautiful portion of the sacred edifice may be partly attributed to the tempting riches which the tombs presented to the view of the sacrilegious visitors sent by Henry the eighth.

Between two of the large pillars, on the north side of the choir, is an elegant light chantry chapel of free-stone, erected by Abbot Parker, in 1397, over the tomb of Robert Fitz-Hamon, the founder of this church, who died in 1107, and was originally buried in the chapter-house, whence his bones were

* It has been ever traditionally stated, that Tewkesbury church was literally used as a stable by the soldiery during the civil commotions in the seventeenth century; and the large pillars which divide the nave from the aisles, even so late as the year 1790, presented an appearance which would give countenance to this idea. In many of these pillars, small perforations remained, in which portions of iron hooks or staples, such as would be used for tying up horses, were visible.

† Upon digging in the inclosure, at the east end of the church, in the year 1828, a leaden coffin was discovered, at the distance of about 115 feet from the building, in which were the bones of a middle-aged person, in a tolerably perfect state. This coffin might have been removed from its original situation in the Lady Chapel, at the time of its destruction, and probably contained the bones of some distinguished member of one of the noble families who had been patrons of the church.

removed by Abbot Fortington, in 1241.* The tomb is of variegated marble, on which was the chieftain's figure, engraved in brass, with the appropriate embellishments of his warlike profession, of which ornaments some sacrilegious hand has long since despoiled it. The tomb was opened while the church was under repair in 1795: at the head was a large stone, scooped out to receive a circular sheet of lead, in which were enclosed an arm and two thigh bones—probably the whole of the remains of the founder that could be collected at the time of their removal from the chapter-house.† This chapel has a ceiling of beautiful fan-work tracery, which was formerly painted and gilded:‡ a border of sculptured oak leaves surrounds the summit on the outside, beneath which is a fascia of roses. The following inscription, in old English characters, was observable until lately on the frieze of the cornice:—

**In ista Capella jacet Dominus Robertus Filius Hamonis
hujus loci Fundator.**

On the north side of the chancel, within the rails of the altar, is a monument of the most delicate sculpture, surmounted by an extraordinary fine piece of tabernacle work, consisting of four tiers of arches, gradually diminishing to one

* “ These sacella, or enclosed mortuary chapels, are not of very ancient date in monkish history: they were choirs in miniature; and had their raised altars, tapers, crucifixes, and all the utensils of catholic worship, only on a smaller scale than in the platform of the church. Their endowments were very considerable; varying according to the number of masses for the dead to be said in them by the appointment of their founders; which commonly had respect to their ancestors and descendants, as well as to the immediate benefit of their own souls.”—*Knight's Disquisition*.

† *Archæologia*, xiv. 150.—Gough's *Sepulchral Monuments*.

‡ In an old MS. in the editor's possession, it is said, that in the Founder's chapel there was curiously painted the story of the murder of Thomas à Becket, archbishop of Canterbury, at the high altar in his own cathedral; and that on the breasts of the four knights, his murderers, were their several coats of arms, which are therein minutely described.—The death of Becket happened on the 29th of December, 1170, and is attributable to William de Traci, Reginald Fitzurse, Richard Brito, and Hugh de Moreville, who were all gentlemen of the bedchamber to King Henry the second, and knights and barons of the realm.

at the top, carved in the finest style of filigree workmanship. On the tomb are the effigies of a knight and his lady, in white marble, in a tolerably perfect state: the former is represented in plated armour, with a gorget of mail and a round helmet, having a lion* at his feet, with a griffin's head for a crest. The lady has a dog at her feet, and appears in the square head dress so commonly seen on tombs which were erected in the reign of Edward the third.† Atkyns, Rudder, Willis, and others, have erroneously assigned these figures to George Duke of Clarence and Isabel his duchess; and some have considered the tomb to be that of Thomas le Despenser.‡ There is no inscription upon the monument, but it is evident, from a variety of circumstances, that it was erected to the memory of Hugh le Despenser the third, and his wife Elizabeth, daughter of William de Montacute, Earl of Salisbury. Mr. Knight, speaking of this splendid monument, observes, "much injury from neglect, and the corrosions of time, this elegant structure has evidently sustained: the lace-work beneath the arches, and the pinnacles above them, are sadly dilapidated; but, whether our attention is fixed by the delicacy and symmetry of the parts, or by the airy and aspiring lightness of the whole, enough remains to entitle it to the character of the finest monument in the church: it is not overloaded with decorations; but distinguished by a chastity of execution far preferable to the gaudy and meretricious ornaments, which marked the latter ages of Gothic architecture."

* Lions at the feet of effigies are explained by several writers as emblems of vigilance and courage; but Mr. Gough doubts this etymology, and thinks the practice was derived from an allusion to the words in Psalm xci. 13. "Thou shalt tread upon the lion and the adder; and the young lion and the dragon shalt thou trample under feet."—Dogs on monuments are thought by some to have been chosen on account of their reputation for watchfulness and fidelity. Mr. Gough supposes, that, when at the feet of ladies, they may allude to their favourite lap dogs; and adds, "that knights and nobles may have them at their feet as the companions of their sports, or as symbols of their rank."

† Lysons's Observations, in *Archæologia*, vol. xiv.

‡ Gough's Sepulchral Monuments.

On the opposite side of the aisle, at the entrance into St. Margaret's chapel; stands another light and elegant specimen of monumental architecture, something resembling that of Sir Hugh le Despenser,* and was erected to commemorate Sir Guy O'Brien,† a Knight of the Garter, and third husband to Elizabeth de Montacute, daughter of the Earl of Salisbury. "The knight is represented by a cumbent statue of alabaster, admirably executed, and in the attitude of drawing his sword, which is a departure from the general style of the period, but is frequently found in monuments of an earlier date: the figure is now much mutilated, but is a most valuable specimen of monumental sculpture, from the extreme richness and peculiarity of the armour: it has originally been painted and gilt, although little of that gaudy decoration is now to be discovered, even to the eye of an experienced antiquary. The armour is complete, but of the mixed kind; the head is covered with a conical basinet, to which, by a red lace, is attached the camail, formed in a very curious manner, apparently of wires, bent to take the form of rings extending all round, which is particularly explained in Meyrick's *Ancient Armour*, vol. II. Under the jupon was usually worn a convex

* "The principal difference between the monuments of Sir Guy Bryan and that of Hugh Lord de Spenser, consists in the decorations of the basement, or altar, upon which the figure reposes: the latter is panelled in small trefoil-headed arches, while that of Bryan is divided into three large quatre-foiled compartments, the centre of which is charged with the armorial shield of Sir Guy Bryan, *Or, three piles, in point, azure*, and those on each side with the same arms impaling the coat of Montacute, *Argent, three fusils in fess, gules*."—*Neale's Views*.

† "The name of Sir Guy Bryan must be joined with that of De Spenser as a great benefactor to this church, in putting up the ceiling under the tower, in enlarging the windows, and perhaps in completing several designs begun and prosecuted by Elizabeth's former husband, till death overtook him; and to which, with singular delicacy, Sir Guy Bryan might have allowed only the arms of the original projector to be affixed: a resemblance, doubtless, has been intended between their monuments, but the copy will not bear to be examined with the original; under any other association it might obtain praise. It has, however, the advantage of being placed in a better light, and a more commanding situation."—*Knight's Disquisition*.

breast-plate, the form of which is evident in this figure. The jupon, itself of Arabic origin, and generally composed of silk or velvet, is represented as embroidered, or worked with the arms of Bryan, most curiously diapered with a raised composition, which is clearly to be seen under the right arm, where it is less worn than in the other more exposed parts of the figure; it reaches to the middle of the thighs; the arms are covered by the mail sleeves of the habergeon, and the vambrace of plate; the left arm is unfortunately broken. His military girdle of red and gold, sustained a sword and dagger, both also broken; his chausses are of mail, with slips of plate above and below the genouilliers, and his feet rest on a lion; the crest, under the head of the figure, is much mutilated, and appears to resemble a griffin's head; but from a monumental brass in Seale church, in Kent, to the memory of Sir William Bryan, knight, it seems that a bugle horn was the family crest. The canopy, or *couronnement*, exhibits a most elegant design of the pointed style, and consists of four stories of foil-headed arches, open, and supported by buttresses of an extremely light construction, terminating in small crocketed pinnacles; some of the buttresses are now out of the perpendicular, and some of the pinnacles gone.*

The monuments of Sir Hugh le Despenser and Sir Guy O'Brien were in so dilapidated a condition, that the churchwardens, in 1828, in order to save them from destruction, were compelled to have them very extensively repaired. Many of the buttresses and pinnacles were entirely renewed, and the remainder underwent considerable reparation. The excellent manner in which the chiselling of the finer portions of the pinnacles is executed, reflects great credit on the talents of Mr. Thomas Holder, under whose superintendence the whole of the recent reparations of the church and tombs have been effected.

Beneath one of the arches, on the north side of the choir, stands the elegant chantry chapel erected by Isabel Countess

* Neale's Views.

of Warwick, grand-daughter and sole surviving heiress of Sir Edward le Despenser, to the memory of her first husband, Richard Beauchamp, Earl of Worcester, who was slain at the siege of Meaux, in France, in 1421. The countess, who died in December 1439, was herself interred in this chapel, which she had dedicated to St. Mary Magdalen. The following inscription, in gold letters on a blue ground, appears on the outside and inside ledges:—

Mementote dominæ Isabellæ le Despenser, Cometisse de Warrewyk, quæ hanc Cappellam fundavit in honorem Beatæ Mariæ Magdalene, et obiit Londoniis apud Minores anno Domini mccccxxxix. die Sancti Johannis Evangelistæ, et sepulta est in choro in dextra patris sui; cujus animæ propitiatur Deus. Amen.

This chapel is a rich and beautiful example of what is termed the florid Gothic: the upper part of it is richly ornamented by arches, canopies and finials; but of six marble pillars which once supported it, only two now remain.* The roof is entirely composed of beautiful tracery, spread over the arches and pendants; and six niches, in two rows of three each, bound the screen. The buttresses on the sides of the tomb form seven divisions, with double canopies, for angels beneath, bearing shields of the several quarterings of the family of the deceased countess.† This lady by will directed that her

* Whilst some assert that six pillars once adorned the interior of this chapel, others conjecture that there were never more than two, from the circumstance of there being no appearance in the floor of the bases of such additional pillars. Any increase in the number of them would certainly have obstructed the performance of divine worship in so confined a place; and therefore, that which now appears in the ceiling to be the remains of other pillars, might have been only pendants, the bottoms and more ornamental parts of which have been surreptitiously removed.

† Arms upon the side of the chapel next the choir, over the door, 1. *France and England, quarterly*, King Edward III. 2. *Castile and Leon, quarterly*, Peter King of Castile and Leon. 3. *France and England, quarterly*, Edmund of Langley, Duke of York. 4. *France and England impaling Castile and Leon*, Isabel of Castile, Duchess of York. 5. *Clare quartering De Spenser*, Thomas De Spenser, Earl of Gloucester. 6. *Clare quartering De Spenser and impaling France and England*, Constance, Countess of Gloucester, who was the daughter of Edmund of Langley, Duke of York, and mother of Isabel, Countess of Warwick, the founder.

statue should be carved entirely naked, with her hair cast backwards; with Mary Magdalen, laying her hands across; St. John the Evangelist on the right side; and St. Anthony on the left. At her feet was to be an escutcheon, impaling her arms with those of the earl her late husband, supported by two griffins; and on the side, the statues of poor men and women in their humble array, with their beads in their hands. It appears, from the Abbey Chronicle, that this part of her will was literally obeyed; but the figures must have been long since removed, as they are wholly unnoticed by the earliest historian who mentions this tomb. This beautiful specimen of Gothic architecture, which is usually denominated the Countess of Warwick's chapel, is thus noticed by Mr. Knight:—"There can be but one opinion on the praise which belongs to the exquisiteness of finishing, by which the several parts of it are distinguished: the entablature, wedged between two of the old pillars of the choir, and appearing to rest upon light columnar buttresses of singular beauty, gives us an assemblage of fillagree and fret-work, which may vie with the finest specimens of similar workmanship in the kingdom: the elegant palm-leaved parapet, which occurs in the division between the stories,—the numerous escutcheons blazoned in

The armorial bearings upon the side of the chapel, next the aisle, are as follow: the basement, in three divisions, contains, in the first, three angels under canopies bearing shields, 1. *France and England, quarterly*, King Edward III. 2. The bearings upon this shield are entirely destroyed. 3. *France and England, quarterly*, Edmund of Langley, Duke of York. In the second division of the basement are two angels bearing shields. 1. *France and England, quarterly*, impaling *Castile and Leon, quarterly*, Isabel of Castile, Duchess of York. 2. *Clare and De Spenser, quarterly*, impaling *France and England, quarterly*, Thomas de Spenser, Earl of Gloucester. In the third division, two angels, bearing, 1. *France and England, quarterly*, in chief, and *Castile and Leon, quarterly*, in base, impaling *Clare and De Spenser, quarterly*, Constance, Duchess of Gloucester. The arms on the fascia and over the door are, in each compartment, three, 1. *The Royal Arms of England*. 2. *The Arms of Clare, Earls of Gloucester*. 3. *Clare impaling England*, Isabel, Countess of Gloucester, and John, afterwards King of England. 4. *De Spenser*, Hugh, Lord De Spenser. 5. *De Spenser*, impaling *Clare*. Eleanor, Countess of Gloucester, wife of Hugh, Lord de Spenser. 6. *Clare and De Spenser, quarterly*, impaling, *Burghersh*, Sir Edward De Spenser, K. G.—*Neale's Views*.

their proper colours,—the niches, and pedestals, under their respective canopies, once ornamented with figures which fanaticism has dislodged,—the slender shafts supporting a higher apartment, probably the rood-loft, in the inside of the fabric, from whence half figures of angels are seen to issue,—the pendants dropping, like congelations in a grotto, from a roof adorned with the most delicate tracery spread over it like a web,—these, and a countless multitude of minuter beauties, almost distract attention, and overwhelm the judgment, with their different claims to notice.”

On the south side of the choir is a chapel, dedicated to the Holy Trinity. It was erected by Elizabeth, daughter of Lord Bartholomew de Burghersh, as a monument to her husband, Sir Edward le Despenser, whose effigy in armour, finely carved in free-stone, in a kneeling posture, with his hands uplifted in prayer, and his face directed towards the high altar, is placed on the roof.* Over this figure is a rich spiral canopy of free-stone, supported by four buttresses, and adorned with pinnacles of exquisite workmanship. This unique specimen of Gothic masonry must at some distant period have been wantonly thrown down—probably by the sacrilegious partizans in the seventeenth century. The fragments of it lay scattered about the roof of the chapel, in utter confusion, and broken into upwards of two hundred pieces, until the year 1827, when they were carefully collected, assorted and cleansed. As more than one third of the buttresses and pinnacles were entirely lost, and much of what remained was in too shattered a condition to be useful, a great expense was necessarily incurred in restoring this canopy to its original beauty. The roof of the chapel is ornamented with fan-shaped tracery, in a tolerably perfect state, though the cusps of the pendants are lost. The altar is entirely removed, but some remains of the piscina may still be seen. The interior wall, at the eastern end, was once richly

* Mr. Fosbroke thinks this figure appertains to the last Gilbert de Clare, Earl of Gloucester, who was killed at the battle of Bannockburn, the style of the armour not being, he says, of the æra of Sir Edward le Despenser.—*Gent's Mag. Supp. part 2*, 1826.

adorned with paintings; and in spite of the destroying hand of time, and the ignorance or carelessness of those to whom the preservation of the church has sometimes been entrusted, there is yet remaining enough of them to excite an interest even in the mind of the most common observer. Above the accustomed place for the altar, scriptural subjects, some of which may now be imperfectly traced, appear to have filled various compartments; and over these, in the centre, is still to be seen a somewhat mutilated representation of "the blessed Trinity personified,"* in a sitting position. To the left of this is a winged female figure, in a costume of Grecian simplicity, holding an incense pot in her hand, with a knight in armour, kneeling, behind her; and on the right, is another similar figure, in the act of adoration, with an attendant female, on her knees, clad in armour. The two outside kneeling figures have uplifted hands, and are thought to have been designed for the foundress of the chapel and her husband.† Elizabeth le Despenser died in 1409, and this chapel was built about the same time as that of Fitz-Hamon, to which it bears considerable resemblance, both in the interior and exterior. Not many years since, a stone coffin was dug up near this chapel, and the body which it contained is said to have been in almost a perfect state.

In the south aisle of the nave, against the wall, is an ancient monument, generally said to have been erected to the memory of Edmund Beaufort, Duke of Somerset, who was beheaded in the market-place after the fatal battle of Tewkesbury; but the arms on the tomb have no relation to the family of Beaufort, and the architectural decorations shew it to have

* "A few years ago we might have seen depicted, upon the eastern wall of this chapel, the blasphemous exhibition, still often witnessed in catholic countries, of the blessed Trinity personified: an old man, with a cross on his breast, and a dove perched on the top of it, was to give the semblance of Father, Son, and Holy Ghost,—entirely regardless of God's own expostulation with his people: 'whcreunto will ye liken me.'"
—*Knight's Disquisition*.

† These figures are engraved in Lysons's "Collection of Gloucestershire Antiquities."

been of an earlier date. Mr. Lysons superintended the opening of this tomb in 1795, but it contained only pieces of stone and rubbish: he conjectures it to have been erected for one of the family of the Clares, Earls of Gloucester; but observes, that the Duke of Somerset's body might have been interred in the stone coffin, now placed upon the top, which formed no part of the original tomb. Mr. Knight thinks that it belonged to Baldwyn de Rivers, seventh Earl of Devonshire, who married Amicia, daughter of the first Gilbert de Clare.

Nearly opposite to the above, in the wall of the north aisle, is a rich flowered surbased arch, with a tomb under it, on which lies the effigy of a knight, with a lion at his feet. The armour is very curious: it has a gorget of edge-ringed mail, a surcoat emblazoned with a chevron between three leopards' heads, a mail skirt, fluted thigh pieces, knee-caps, legs and soliers of plate. Dr. Meyrick gives this figure as a good specimen of armour in the reign of Henry the fourth. This has usually been called the tomb of John Lord Wenlock, who was slain, in a moment of despair, at the battle of Tewkesbury, by the Duke of Somerset, under whom he commanded. Mr. Gough and Mr. Lysons have given sufficient reasons for discrediting this opinion; and besides, it is known that Lord Wenlock was buried at Luton in Bedfordshire, where his tomb still remains. Mr. Knight ascribes it to a chieftain of the name of Morley, who married one of the Despenser family.

At the entrance into the chapel which was dedicated to St. Edmund the Martyr, to the north-east of the high altar, is a gorgeous cenotaph, erected by Abbot Wakeman, with the intention doubtless of having his body buried beneath it. The person of the abbot is here represented by a cadaver, or emaciated figure, stretched upon a shroud, with snails and newts on various parts of it, and is usually called "the starved monk." The tomb is constructed with an open recess, beneath the slab upon which the enshrouded skeleton is laid, and here it is conceived that the cadaver would have been removed at Wakeman's decease, whilst a cumbent figure of the abbot, carved in stone, in the natural features of healthful life, would

have occupied the upper tablet, had not his design been frustrated by the dissolution of the abbey, and his consequent removal to the see of Gloucester. In many of the cathedral and conventual churches, monuments of this description are to be met with,* and they have usually given rise to many ridiculous tales among vergers and others. The same author, from whom we have borrowed descriptions of some of the other tombs, thus concludes his account of Abbot Wake-man's:—"The whole cenotaph is composed of rich workmanship, light and florid screen-work, nothing solid. The basement, or altar part of the tomb, as we have observed before, forms an open recess, adorned with most curious perforated work upon the front, towards the ambulatory. The piers which support the canopy, are faced with light graduated buttresses, between which are lofty ornamented octangular pedestals, surmounted by niches, with their canopies for statues; and, between the piers, springs a light and beautiful arch, foliated at its lower edge, with the spandrils perforated with quatrefoils; from beneath the centre of this arch descends a very rich, but somewhat heavy pendent ornament, of an ogee form, immediately over the figure, a singular and bold deviation from the monumental style of the age. Above the whole are three projecting canopies, with their pinnacles and gables crocketed and under-wrought with tracery of the most delicate workmanship. It was hardly possible that such elaborate decoration could escape mutilation. A portion of the west end, or head of the monument, which originally projected beyond the piers, has been destroyed, and some of the tracery of the curious pendent arch has also suffered, but the whole may be considered as a tolerably perfect example of the richest and most elegant design of sepulchral monuments."† The cenotaph was partly repaired in 1828.

* Designs of this class occur in the monuments for Bishop Fox, at Winchester, and Bishop Beckington, at Wells. See Britton's *Histories of those Cathedrals*.

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In the south aisle of the chancel, not far from the Trinity chapel, is an altar tomb, ornamented on both sides with quatrefoils and shields, having over it a very flat arch, the vault of which is decorated with rich carved tracery. This tomb, which forms the only part now remaining of the screen of one of the chapels, has usually been assigned to Abbot Fortington, who died in 1253. Willis describes it as having the effigy of a man, in full proportion, lying upon it; no doubt a figure was once upon the tomb, but it has long since been removed. Mr. Lysons notices, that the form of the arch and its decorations are such as were not used until the fifteenth century; and from the cyphers R. C. entwining a crosier, on the shields in each spandril of the arch, and at the intersection of the ribs of the tracery beneath, he thinks it evident that this monument was intended for Abbot Richard Cheltenham, who died in 1509. This tomb was, previous to its restoration in 1827, in a ruinous condition.

Opposite to the tomb of Abbot Cheltenham, at the back of the stone stalls, near the high altar, is another tomb of an abbot, consisting of a stone coffin, placed under a low flat arch, ornamented with a scroll of vine leaves and grapes, over which are two rows of niches with rich canopies. On the lid of the coffin, which is of a hard blue stone, the following inscription, in Lombardic characters, is deeply cut:

IOPANNES ABBAS PVIVS LOCI.

This has usually been ascribed to Abbot John Cotes, who died in 1361. Mr. Lysons thinks the decorations of the monument are of a later age, and therefore that the stone coffin originally occupied a different situation in the church. This coffin was opened in 1795, but, excepting rubbish and mortar, it contained only some pieces of rich gold tissue, probably parts of the sacerdotal habit.

Near to the tomb assigned to Abbot Cotes, is a black slab, under a flowered arch, which Mr. Gough supposes to be the workmanship of the fourteenth century, and is thought to cover the remains of another abbot, whose name is unknown. This coffin has also the appearance of having been

placed in its present situation after the original occupier had been dispossessed of it.

In the wall of the south chancel aisle, in a niche made for it, on the west side of the vestry door, under a channelled trefoil arch, surmounted with a straight-lined canopy, whose angle is considerably distended, is the tomb of Abbot Alan, who died in the year 1202. Mr. Knight considers this monument to be one of the oldest in the church. On the west end of it is inscribed,

ANNO DOMINI 1202

The body is deposited in a coffin of Purbeck marble, which was opened in 1795; at the head of it another inscription, somewhat obliterated, was discovered, which, when perfect, is supposed to have been

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Mr. Lysons states, that when the lid of the stone coffin was first taken off, the body appeared surprisingly perfect, considering that it had lain there for nearly six hundred years: the folds of the drapery were then very distinct; but when exposed to the air, the whole soon crumbled away, and left little more than a skeleton: the boots however still retained their form, with a certain degree of elasticity, and hung in large folds about the legs. On his right side lay a plain crosier of wood, neatly turned, the top of which was gilded, having a cross cut in it: the handle was five feet eleven inches in length, and remarkably light; and on his left side was the fragment of a chalice.

In a recess, a little to the westward of the above, is another tomb, erected probably for one of the abbots, but there is nothing to lead to any certain conclusion on the subject. There is a comparatively modern inscription upon it, from which it appears to have been opened in 1697, and the body of a child interred in it.

Between the monuments of Abbots Alan and Cheltenham, on the east side of the vestry door, is another tomb of one of the abbots, consisting of a stone coffin, under an arch richly adorned with foliage and other ornaments. On the lid of the

stone coffin is carved a rich cross florée, having the figure of an abbot at the top, and a lamb at the bottom. On the opening of this tomb, by Mr. Lysons, the body was found in a similar state to that of Abbot Alan, but there was no crosier; and it is quite uncertain for which of the abbots this monument was erected. Mr. Knight says, "there is much richness in the wavy-lined foliated canopy, with a double embossed moulding, which covers this tomb, and terminates in a highly-wrought bouquet, wherein the artist has thought proper to shew his skill by the introduction of birds among the leaves." This tomb had been from time immemorial deprived of its original western pinnacle: a new one was carved and erected in 1829, and upon examination it will be acknowledged that the workmanship of the modern pinnacle is at least equal to that of the ancient one, which stands on the opposite side of the monument.

CHAPTER XIII.

DISTINGUISHED PERSONS BURIED AT TEWKESBURY, WHO HAVE NO MONUMENTS.



In the year 800, Brictric, king of Wessex, son-in-law to king Offa, was interred in St. Faith's chapel, in Tewkesbury church.

In 812, Hugh, a Mercian nobleman, who owned the manor of Tewkesbury, was buried on the north side of the body of the church.

Gilbert de Clare, first Earl of Hertford and Gloucester,* who died in 1230, was buried in the middle of the choir.†

* The following notice of the death and funeral of Gilbert de Clare, Earl of Hertford and Gloucester, who died in 1230, is in the Cotton manuscript:—

“A.D. M.CC.XXX. G. de Clare comes Gloucestriæ et Hertfordiæ obiit in nocte sanctorum Crispini et Crispiniani apud Penros in Britania, et legavit corpus suum ecclesiæ beatæ Mariæ Theok. ubi nunc requiescit. Legavit etiam eidem ecclesiæ boscum de Mutha, et crucem argenteam bene deauratam. Applicuit autem sequenti die Sabbato cum familia sua apud Plu'mue et delatus est per mediam Devoniam, Sumers', et Dorset', usque Craneburn, deinde usque Theokesburiam multis obiter largitis pro anima ejus pauperibus, eleemosynis, et pannis sericis, domibus religiosis. Venit tamen corpus ad nos Sabbato ante festum sancti Martini, quievit autem in sepulchro dominica sequenti. Sepultus vero est ante majus altare, astantibus abbatibus Theok. de Tynterne, de Flexley, de Keynesham, de Tureford, et aliis viris religiosis, innumeris diversorum ordinum populis quam innumeris utriusque sexus. Primum testamentum comitis G. fuit apud Suwik super mare, pridie kal. Maii. Secundum vero in Britania minori, decimo kal. Novembris.” Fol. 20.

† In an old manuscript account of the “noble personages buried in the abbey of Tewkesbury,” in the editor's possession, six coats of arms are described as having been “late on the coffin that covered the tomb of Gilbert de Clare, Earl of Gloucester.”

Isabel, daughter of the Earl of Pembroke, widow of Gilbert de Clare and wife of Richard brother to King Henry the third, who died in 1239, ordered her heart to be sent in a silver cup to her brother, then abbot of Tewkesbury, to be interred before the high altar.*

Richard de Clare, Earl of Hertford and Gloucester, who died in 1262, was buried in the choir. The bishops of Wor-

* The Cotton Register, under the year 1239, has the following particulars respecting the funeral and will of Isabella Countess of Gloucester:—

“Obiit Ysabella comitissa Gloucestriæ et Hertfordiæ, Cornub. et Pictav. apud Berkamstud. Corpus vero ejusdem humatum digno honore apud Bellum Locum Cisterciensis ordinis coram majori altari, in cuppa argentea decenter deaurata per fratrem H. de Siptun tunc priorem Theoksb. qui ejus obitui interfuit: unde versus,

Postremâ voce legavit cor comitissa.
 Pars melior toto fuit huc pro corpore missa.
 Hæc se divisit Dominum recolendo priorem.
 Huc cor quod misit, verum testatur amorem.
 Huic simul ecclesiæ sanctæ suffragia prosint.
 Ut simul in requie cœlesti cum domino sint.

Intestina vero ejusdem humata sunt apud Mussenden coram majori altare. Legavit domui Theok. x. libratas terræ de maritagio suo in villa de Sunedun. Item xl. marc. argenti. Unum calicem argenti deaurat. ij. phialas argenteas. j. turribulum argenteum. j. textum coopertum argento. j. phialam quam dominus papa misit ei cum reliquiis, videlicet de sancto Cornelio papa, de capillis sanctæ Elizabethæ virginis, de tribus pueris, de sanctis Marco et Marcelliano, de syndone beatæ Agnetis, de sanctis martyribus Olimpîi, Theodorii, Simpronii, Superbiæ, atque Lucillæ, de sancto Pantaleone martyre, de sancto Damaso papa, de sancto Basilio confessore, de sanctis xl. martyribus. Item legavit duas cappas de baudekin bene ornatas, et j. casulam bonam stragulatam, tunicam et dalmaticam de uno panno; hæc omnia fuerunt de capella sua. Ipsa siquidem semper habuit in proposito sepeliri in ecclesia beatæ Mariæ Theokesb. juxta tumulum G. comitis, viri sui prioris, sed non est passa pro voluntate domini R. com. Cornub. viri sui posterioris qui cum corpore suo dedit x. marc. redditus prædicto loco quo sepulta est, et quo ipse disposuit sepeliri. Insuper pro anima comitissæ contulit templariis dominus R. comes x. libratas redditus. Hospitali Jerusalem x. libr. redditus apud Walingeford. Instituit quendam capellanum in perpetuum pro anima ipsius; et ad sustentationem ipsius dedit et confirmavit per cartam suam v. marc. redditus. Ipsa siquidem cum esset in libera viduitate instituit virum capellanum in perpetuum pro anima G. com. Glouc. et pro anima ipsius apud moniales de Marcyate, et ad sustentationem ipsius dedit et per cartam suam confirmavit prædicto loco c. sol redditus.” Fol. 36 b, 37.

cester and Landaff, twelve abbots, and a great number of barons, knights and gentlemen, were present at his funeral; and numerous indulgences were granted by the archbishop of Canterbury, the bishops of Chester, Worcester and Landaff, to those who should pray for the earl's soul.* The stately tomb of this nobleman was erected by his widow Maud, in the Lady chapel, but no remains of it now exist. It was ornamented with gold, silver and precious stones, the sword and spurs which he wore when alive, and other valuables. On this tomb was a large image of the earl, in silver, and his praises were celebrated in the following epitaph:

*"Hic pudor Hippoliti, Paridis gena, sensus Ulyssis,
"Æneæ pictas, Hectoris ira jacet."*

Which is thus translated in 'Weever's Funeral Monuments:'

*"Chaste Hippolite, and Paris fair, Ulysses wise and sly,
"Æneas kind, fierce Hector, here jointly entomb'd lye."*

Gilbert de Clare the second, who died in 1295, was also buried in the choir, near the communion table. The effigies of this nobleman formerly stood over one of the stalls, not far from his grave, in a pensive position, with an inscription in gold characters.

Gilbert de Clare the third, who was slain at the battle of Bannockburn, in 1314, was buried at Tewkesbury, with his ancestors.†

Maud, his wife, daughter of the Earl of Ulster, was buried on his left hand.

John, son of Gilbert de Clare the third, was buried either in the Lady chapel or in the choir.

Hugh le Despenser the younger, who was executed at Hereford, in 1327, was quartered and publicly exposed, but some parts of his body were privately interred at Tewkesbury.

* Cotton MS.

† Mr. Knight states that he was buried in the Virgin Mary's chapel; and Sandford, in his Genealogical Survey, asserts, that he was buried near his father, grand-father and great grand-father.

William Lord le Zouch of Mortimer was buried in the middle of the chapel of our Lady in 1335.*

Eleanor, eldest daughter of Gilbert de Clare the second, and widow of Hugh le Despenser the younger and of William Lord le Zouch, who died in 1337, was buried with her ancestors.

Another Lord le Zouch is said to have been buried in the Lady chapel, near the presbytery, in 1371.

Elizabeth, widow of the last named Lord le Zouch, was buried there in 1408.

Edward, eldest son of Edward le Despenser the second, and also his infant brother and sister, were buried in the Lady chapel.

Thomas, another son of Edward le Despenser the second, who was executed at Bristol, 1 Henry IV. was buried in the middle of the choir.

Elizabeth, widow to Edward le Despenser the second, who died in 1409,† was buried either within or near to the chapel of the Holy Trinity, which she had erected to her husband's memory.

* The effigies of Lord William le Zouch, in a perpendicular position, is now to be seen, beneath a row of fine elm trees, in a field on the estate and near to the mansion of Joseph Yorke, esq. at Forthampton Court. As Abbot Wakeman resided there, it is probable that he conveyed it to Forthampton at the time of the demolition of the Virgin Mary's chapel. The figure is cut in stone, is upwards of six feet high, and appears in the act of sheathing a sword. The face is in great part visored, the legs crossed, and rowelled spurs are strapped upon the feet, which rest upon a lion dormant.

† By her will, dated July the 4th, 1409, in which she styles herself Elizabeth de Burghersh, dame le Despenser, she bequeathed her body to be interred between Edward Lord le Despenser her husband and Thomas le Despenser her son: appointing her interment to be within three days after her decease; and that a black cloth, with a white cross, should be laid over her corpse, with five tapers about it, and no more, during the office of burial. Likewise, that a stone of marble should be placed over her grave, with her portraiture thereon. She also appointed that seven of the most honest priests that could be found should sing for her by the space of one whole year after her death; and each of them, for so doing, to receive five pounds. Moreover, she willed, that a thousand masses should be sung for her soul.

Hugh Mortimer, by his will, dated London, 1415, directed his body "to be buried in a certain chapel of Tewkesbury church, wherein is buried the body of Lord Edward le Despenser."

Richard le Despenser, son to Lord Thomas, died in his eighteenth year, and was buried in the choir, on the left hand of his father.

Henry Beauchamp, Duke of Warwick, who died in 1446, was buried in the middle of the choir.

Cicely, daughter of the Earl of Salisbury, and widow of the above Duke of Warwick, was buried in the same place in 1450.

Edmund Beaufort, Duke of Somerset, who was beheaded after the battle of Tewkesbury, in 1471; also Lord John Beaufort, his brother, and the Earl of Devonshire, who were slain in the battle, were buried in the church.

Nearly in the centre of the choir, just beneath the tower, is the following inscription, on a brass plate, commemorative of the melancholy fate of Prince Edward, who was murdered after the battle of Tewkesbury:

"Ne tota pereat Memoria Edwardi Principis Walliæ, post prælium memorabile in vicinis arvis depugnatum crudeliter occisi; hanc tabulam honorariam deponi curavit pietas Tewksburiensis, Anno Domini MDCCXCVI."

This inscription, from the pen of the late Rev. Robert Knight, vicar of Tewkesbury, was placed there when the church was newly pewed in 1796. The slab on which this plate is engraved covers a stone coffin, which was examined not many years since, but exhibited no marks by which it could be recognised as the repository of royal dust; and it is far more probable to have contained the ashes of Henry Beauchamp, Duke of Warwick, who was certainly buried in this part of the church. It is unknown where the ill-fated Edward was buried, whether in the church or church-yard; historians say that his body was thrown into a hole with those of the common soldiers who perished in the field of battle. The grave which this inscription covers has immemorially been pointed out as that of the

prince; and had not the large marble slab, which was originally placed on it, been removed and despoiled of the brasses with which it had once been inlaid, it might have been better ascertained whose remains were deposited beneath.*

At the back of the high altar, underneath a large blue stone, which bears evident marks of once having been inlaid with metal, is a flight of eight stone steps; these lead to a large arched vault, in which the remains of Isabel Duchess of Clarence, eldest daughter of Richard Earl of Warwick, were deposited in 1477; and where, also, her illustrious husband, George Duke of Clarence, brother to King Edward the fourth, after his mysterious death in the Tower, most probably found that repose which was denied to him in his lifetime. The Abbey Chronicle gives a minute account of the burial of the duchess, and points out the precise spot of her interment;† but

* “Under a large marble slab, stript of its brasses, at the entrance of the choir at Tewkesbury, under the rood loft, is said to lie the unfortunate Prince Edward, only son of Henry the sixth, stabbed in cold blood after the battle. Some bones of a small skeleton, as of a youth, and a coffin, were discovered by the breaking of the stone, and might till lately be handled. The figures of a religious, under a canopy, with pillars and four shields, were inlaid on the slab. The Plan [in Stevens] puts here the monument of Richard Beauchamp, Earl of Worcester, (it should be Henry Beauchamp last Earl of Warwick,) who was buried at the head of Prince Edward. It is not likely that the last remnant of a royal house, which was so completely crushed in this battle, should have had any memorial laid over him.”—*Gough, Sepul. Mon. vol. II. p. 225.*

† From the Abbey Chronicle we learn, that Lord John Strensham, abbot of Tewkesbury, with other abbots in their habits, and the whole convent, received her body in the middle of the choir, and the funeral office was performed by the lord abbot and the rest of the abbots, with the whole convent, in nine lessons; afterwards the funeral office was performed by the suffragans of the bishops of Worcester and Lincoln, and by the dean and chaplains of the duke: and the vigils were observed by the duke's own family till the next day, which was the vigil of the Epiphany. The suffragan of the bishop of Lincoln celebrated the first mass of St. Mary, in St. Mary's chapel; the second mass of the Trinity was celebrated by the lord abbot, at the altar; the suffragan of the bishop of Worcester celebrated the third mass, of eternal rest, at which Peter Weld, doctor in divinity, and of the order of the Minors at Worcester, preached a sermon in the choir, before the prelates; and mass being ended, the body was left under the hearse, in the middle of the choir, for thirty-five days; and those

have occupied the upper tablet, had not his design been frustrated by the dissolution of the abbey, and his consequent removal to the see of Gloucester. In many of the cathedral and conventual churches, monuments of this description are to be met with,* and they have usually given rise to many ridiculous tales among vergers and others. The same author, from whom we have borrowed descriptions of some of the other tombs, thus concludes his account of Abbot Wake-man's:—"The whole cenotaph is composed of rich workmanship, light and florid screen-work, nothing solid. The basement, or altar part of the tomb, as we have observed before, forms an open recess, adorned with most curious perforated work upon the front, towards the ambulatory. The piers which support the canopy, are faced with light graduated buttresses, between which are lofty ornamented octangular pedestals, surmounted by niches, with their canopies for statues; and, between the piers, springs a light and beautiful arch, foliated at its lower edge, with the spandrils perforated with quatrefoils; from beneath the centre of this arch descends a very rich, but somewhat heavy pendent ornament, of an ogee form, immediately over the figure, a singular and bold deviation from the monumental style of the age. Above the whole are three projecting canopies, with their pinnacles and gables crocketed and under-wrought with tracery of the most delicate workmanship. It was hardly possible that such elaborate decoration could escape mutilation. A portion of the west end, or head of the monument, which originally projected beyond the piers, has been destroyed, and some of the tracery of the curious pendent arch has also suffered, but the whole may be considered as a tolerably perfect example of the richest and most elegant design of sepulchral monuments."† The cenotaph was partly repaired in 1828.

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The body is deposited in a coffin of Purbeck marble, which was opened in 1795; at the head of it another inscription, somewhat obliterated, was discovered, which, when perfect, is supposed to have been

PIC IACET DOMINVS ALANVS ABBATIS.

Mr. Lysons states, that when the lid of the stone coffin was first taken off, the body appeared surprisingly perfect, considering that it had lain there for nearly six hundred years: the folds of the drapery were then very distinct; but when exposed to the air, the whole soon crumbled away, and left little more than a skeleton: the boots however still retained their form, with a certain degree of elasticity, and hung in large folds about the legs. On his right side lay a plain crosier of wood, neatly turned, the top of which was gilded, having a cross cut in it: the handle was five feet eleven inches in length, and remarkably light; and on his left side was the fragment of a chalice.

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Gilbert de Clare, first Earl of Hertford and Gloucester,* who died in 1230, was buried in the middle of the choir.†

* The following notice of the death and funeral of Gilbert de Clare, Earl of Hertford and Gloucester, who died in 1230, is in the Cotton manuscript:—

“A.D. M.CC.XXX. G. de Clare comes Gloucestræ et Hertfordiæ obiit in nocte sanctorum Crispini et Crispiniani apud Penros in Brittonia, et legavit corpus suum ecclesiæ beatæ Mariæ Theok. ubi nunc requiescit. Legavit etiam eidem ecclesiæ boscum de Mutha, et crucem argenteam bene deauratam. Applicuit autem sequenti die Sabbato cum familia sua apud Plu'mue et delatus est per mediam Devoniam, Sumers', et Dorset', usque Craneburn, deinde usque Theokesburiam multis obiter largitis pro anima ejus pauperibus, eleemosynis, et pannis sericis, domibus religiosis. Venit tamen corpus ad nos Sabbato ante festum sancti Martini, quievit autem in sepulchro dominica sequenti. Sepultus vero est ante majus altare, astantibus abbatibus Theok. de Tynterne, de Flexley, de Keynesham, de Tureford, et aliis viris religiosis, innumeris diversorum ordinum populis quam innumeris utriusque sexus. Primum testamentum comitis G. fuit apud Suwik super mare, pridie kal. Maii. Secundum vero in Brittonia minori, decimo kal. Novembris.” Fol. 20.

† In an old manuscript account of the “noble personages buried in the abbey of Tewkesbury,” in the editor's possession, six coats of arms are described as having been “late on the coffin that covered the tomb of Gilbert de Clare, Earl of Gloucester.”

Isabel, daughter of the Earl of Pembroke, widow of Gilbert de Clare and wife of Richard brother to King Henry the third, who died in 1239, ordered her heart to be sent in a silver cup to her brother, then abbot of Tewkesbury, to be interred before the high altar.*

Richard de Clare, Earl of Hertford and Gloucester, who died in 1262, was buried in the choir. The bishops of Wor-

* The Cotton Register, under the year 1239, has the following particulars respecting the funeral and will of Isabella Countess of Gloucester:—

“Obiit Ysabella comitissa Gloucestriæ et Hertfordiæ, Cornub. et Pictav. apud Berkamstud. Corpus vero ejusdem humatum digno honore apud Bellum Locum Cisterciensis ordinis coram majori altari, in cuppa argentea decenter deaurata per fratrem H. de Siptun tunc priorem Theoksb. qui ejus obitui interfuit: unde versus,

Postremâ voce legavit cor comitissa.
 Pars melior toto fuit huc pro corpore missa.
 Hæc se divisit Dominum recolendo priorem.
 Huc cor quod misit, verum testatur amorem.
 Huic simul ecclesiæ sanctæ suffragia prosint.
 Ut simul in requie cœlesti cum domino sint.

Intestina vero ejusdem humata sunt apud Mussenden coram majori altare. Legavit domui Theok. x. libratas terræ de maritagio suo in villa de Sunedun. Item xl. marc. argenti. Unum calicem argenti deaurat. ij. phialas argenteas. j. turribulum argenteum. j. textum coopertum argento. j. phialam quam dominus papa misit ei cum reliquiis, videlicet de sancto Cornelio papa, de capillis sanctæ Elizabethæ virginis, de tribus pueris, de sanctis Marco et Marcelliano, de syndone beatæ Agnetis, de sanctis martyribus Olimpîi, Theodorii, Simpronii, Superbiæ, atque Lucillæ, de sancto Pantaleone martyre, de sancto Damaso papa, de sancto Basilio confessore, de sanctis xl. martyribus. Item legavit duas cappas de baudekin bene ornatas, et j. casulam bonam stragulatam, tunicam et dalmaticam de uno panno; hæc omnia fuerunt de capella sua. Ipsa siquidem semper habuit in proposito sepeliri in ecclesia beatæ Mariæ Theokesb. juxta tumulum G. comitis, viri sui prioris, sed non est passa pro voluntate domini R. com. Cornub. viri sui posterioris qui cum corpore suo dedit x. marc. redditus prædicto loco quo sepulta est, et quo ipse disposuit sepeliri. Insuper pro anima comitissæ contulit templariis dominus R. comes x. libratas redditus. Hospitali Jerusalem x. libr. redditus apud Walingeford. Instituit quendam capellanum in perpetuum pro anima ipsius; et ad sustentationem ipsius dedit et confirmavit per cartam suam v. marc. redditus. Ipsa siquidem cum esset in libera viduitate instituit virum capellanum in perpetuum pro anima G. com. Glouc. et pro anima ipsius apud moniales de Marcyate, et ad sustentationem ipsius dedit et per cartam suam confirmavit prædicto loco c. sol redditus.” Fol. 36 b, 37.

cester and Landaff, twelve abbots, and a great number of barons, knights and gentlemen, were present at his funeral; and numerous indulgences were granted by the archbishop of Canterbury, the bishops of Chester, Worcester and Landaff, to those who should pray for the earl's soul.* The stately tomb of this nobleman was erected by his widow Maud, in the Lady chapel, but no remains of it now exist. It was ornamented with gold, silver and precious stones, the sword and spurs which he wore when alive, and other valuables. On this tomb was a large image of the earl, in silver, and his praises were celebrated in the following epitaph:

*" Hic pudor Hippoliti, Paridis gena, sensus Ulysis,
" Æneæ pietas, Hectoris ira jacet."*

Which is thus translated in 'Weever's Funeral Monuments:'

*" Chaste Hippolite, and Paris fair, Ulysses wise and sly,
" Æneas kind, fierce Hector, here jointly entomb'd lye."*

Gilbert de Clare the second, who died in 1295, was also buried in the choir, near the communion table. The effigies of this nobleman formerly stood over one of the stalls, not far from his grave, in a pensive position, with an inscription in gold characters.

Gilbert de Clare the third, who was slain at the battle of Bannockburn, in 1314, was buried at Tewkesbury, with his ancestors.†

Maud, his wife, daughter of the Earl of Ulster, was buried on his left hand.

John, son of Gilbert de Clare the third, was buried either in the Lady chapel or in the choir.

Hugh le Despenser the younger, who was executed at Hereford, in 1327, was quartered and publicly exposed, but some parts of his body were privately interred at Tewkesbury.

* Cotton MS.

† Mr. Knight states that he was buried in the Virgin Mary's chapel; and Sandford, in his Genealogical Survey, asserts, that he was buried near his father, grand-father and great grand-father.

William Lord le Zouch of Mortimer was buried in the middle of the chapel of our Lady in 1335.*

Eleanor, eldest daughter of Gilbert de Clare the second, and widow of Hugh le Despenser the younger and of William Lord le Zouch, who died in 1337, was buried with her ancestors.

Another Lord le Zouch is said to have been buried in the Lady chapel, near the presbytery, in 1371.

Elizabeth, widow of the last named Lord le Zouch, was buried there in 1408.

Edward, eldest son of Edward le Despenser the second, and also his infant brother and sister, were buried in the Lady chapel.

Thomas, another son of Edward le Despenser the second, who was executed at Bristol, 1 Henry IV. was buried in the middle of the choir.

Elizabeth, widow to Edward le Despenser the second, who died in 1409,† was buried either within or near to the chapel of the Holy Trinity, which she had erected to her husband's memory.

* The effigies of Lord William le Zouch, in a perpendicular position, is now to be seen, beneath a row of fine elm trees, in a field on the estate and near to the mansion of Joseph Yorke, esq. at Forthampton Court. As Abbot Wakeman resided there, it is probable that he conveyed it to Forthampton at the time of the demolition of the Virgin Mary's chapel. The figure is cut in stone, is upwards of six feet high, and appears in the act of sheathing a sword. The face is in great part visored, the legs crossed, and rowelled spurs are strapped upon the feet, which rest upon a lion dormant.

† By her will, dated July the 4th, 1409, in which she styles herself Elizabeth de Burghersh, dame le Despenser, she bequeathed her body to be interred between Edward Lord le Despenser her husband and Thomas le Despenser her son: appointing her interment to be within three days after her decease; and that a black cloth, with a white cross, should be laid over her corpse, with five tapers about it, and no more, during the office of burial. Likewise, that a stone of marble should be placed over her grave, with her portraiture thereon. She also appointed that seven of the most honest priests that could be found should sing for her by the space of one whole year after her death; and each of them, for so doing, to receive five pounds. Moreover, she willed, that a thousand masses should be sung for her soul.

Hugh Mortimer, by his will, dated London, 1415, directed his body "to be buried in a certain chapel of Tewkesbury church, wherein is buried the body of Lord Edward le Despenser."

Richard le Despenser, son to Lord Thomas, died in his eighteenth year, and was buried in the choir, on the left hand of his father.

Henry Beauchamp, Duke of Warwick, who died in 1446, was buried in the middle of the choir.

Cicely, daughter of the Earl of Salisbury, and widow of the above Duke of Warwick, was buried in the same place in 1450.

Edmund Beaufort, Duke of Somerset, who was beheaded after the battle of Tewkesbury, in 1471; also Lord John Beaufort, his brother, and the Earl of Devonshire, who were slain in the battle, were buried in the church.

Nearly in the centre of the choir, just beneath the tower, is the following inscription, on a brass plate, commemorative of the melancholy fate of Prince Edward, who was murdered after the battle of Tewkesbury:

"Ne tota pereat Memoria Edwardi Principis Walliæ, post prælium memorabile in vicinis arvis depugnatum crudeliter occisi; hanc tabulam honorariam deponi curavit pietas Tewksburiensis, Anno Domini MDCCXCVI."

This inscription, from the pen of the late Rev. Robert Knight, vicar of Tewkesbury, was placed there when the church was newly pewed in 1796. The slab on which this plate is engraved covers a stone coffin, which was examined not many years since, but exhibited no marks by which it could be recognised as the repository of royal dust; and it is far more probable to have contained the ashes of Henry Beauchamp, Duke of Warwick, who was certainly buried in this part of the church. It is unknown where the ill-fated Edward was buried, whether in the church or church-yard; historians say that his body was thrown into a hole with those of the common soldiers who perished in the field of battle. The grave which this inscription covers has immemorially been pointed out as that of the

prince; and had not the large marble slab, which was originally placed on it, been removed and despoiled of the brasses with which it had once been inlaid, it might have been better ascertained whose remains were deposited beneath.*

At the back of the high altar, underneath a large blue stone, which bears evident marks of once having been inlaid with metal, is a flight of eight stone steps; these lead to a large arched vault, in which the remains of Isabel Duchess of Clarence, eldest daughter of Richard Earl of Warwick, were deposited in 1477; and where, also, her illustrious husband, George Duke of Clarence, brother to King Edward the fourth, after his mysterious death in the Tower, most probably found that repose which was denied to him in his lifetime. The Abbey Chronicle gives a minute account of the burial of the duchess, and points out the precise spot of her interment;† but

* “Under a large marble slab, stript of its brasses, at the entrance of the choir at Tewkesbury, under the rood loft, is said to lie the unfortunate Prince Edward, only son of Henry the sixth, stabbed in cold blood after the battle. Some bones of a small skeleton, as of a youth, and a coffin, were discovered by the breaking of the stone, and might till lately be handled. The figures of a religious, under a canopy, with pillars and four shields, were inlaid on the slab. The Plan [in Stevens] puts here the monument of Richard Beauchamp, Earl of Worcester, (it should be Henry Beauchamp last Earl of Warwick,) who was buried at the head of Prince Edward. It is not likely that the last remnant of a royal house, which was so completely crushed in this battle, should have had any memorial laid over him.”—*Gough, Sepul. Mon. vol. II. p. 225.*

† From the Abbey Chronicle we learn, that Lord John Strensham, abbot of Tewkesbury, with other abbots in their habits, and the whole convent, received her body in the middle of the choir, and the funeral office was performed by the lord abbot and the rest of the abbots, with the whole convent, in nine lessons; afterwards the funeral office was performed by the suffragans of the bishops of Worcester and Lincoln, and by the dean and chaplains of the duke: and the vigils were observed by the duke's own family till the next day, which was the vigil of the Epiphany. The suffragan of the bishop of Lincoln celebrated the first mass of St. Mary, in St. Mary's chapel; the second mass of the Trinity was celebrated by the lord abbot, at the altar; the suffragan of the bishop of Worcester celebrated the third mass, of eternal rest, at which Peter Weld, doctor in divinity, and of the order of the Minors at Worcester, preached a sermon in the choir, before the prelates; and mass being ended, the body was left under the hearse, in the middle of the choir, for thirty-five days; and those

no person who has written on the subject seems to have been aware of the existence of this vault. Mr. Knight enquires, "among the many nobles and chieftains interred in this church, where are we to look for 'false, fleeting, perjured Clarence,' and Isabel his duchess, who are reported to have here found a period to their sufferings, whether arising from their misfortunes or their crimes, in the sabbath of the grave?" After describing the pomp displayed at the funeral of the duchess, he remarks, "such were the feuds about the throne, during the eventful reigns of Edward the fourth, Richard the third, and Henry the seventh, that no one has even ventured to mark the spot with a stone where this obnoxious branch of royalty finally claimed kindred with the worm."*

This vault was opened in 1826, in the presence of the vicar, curate, and churchwardens of the parish: it was in the most perfect state, and measured nine feet long, eight feet wide, and six feet four inches high. The arched roof and walls were of Painswick free-stone, and must have been chiefly hewn from large masses of solid material; the floor was paved, and in the centre was the representation of a cross, extending almost the whole length and breadth of the vault, formed with painted bricks: on some of these were the arms of England, of the Clares, &c. and on some were ornamented letters, birds, fleurs de lis, and various other devices, similar to bricks which are frequently found about the church; and of which, it would seem, the members of the convent kept a store, to be used for embellishment as occasion might require. In the north-west corner of the vault were found two skulls, and other bones; these were evidently the remains of a man and woman, and although there was nothing to prove that they were relics of the Duke and Duchess of Clarence, there are some circumstances which render it by no means improbable.

solemn obsequies were daily performed, during that time, in the convent. Her body was buried in a vault behind the high altar, before the door of the Virgin Mary's chapel, and opposite the door of St. Edmund the Martyr's chapel.

* Knight's Disquisition, p. 107.

That the duchess was buried in this vault, not the shadow of a doubt can exist: this receptacle for her remains might have been prepared during the thirty-five days in which she lay in state in the church; for as she died at so early an age, and so unexpectedly, there is no reason to suppose that it was made in her life time. It will perhaps never be satisfactorily determined where the duke was buried: Rapin and others affirm that he was interred here; and as his enemies cared little about his body after it was deprived of life, it is not likely that any obstacle would have been thrown in the way of its removal to Tewkesbury, if any faithful adherent desired it. The circumstance of the bones of a male and female being discovered in this vault,—joined to that of there being six large stones, at the south end of it, apparently arranged for supporting two coffins abreast,—would add something to the plausibility of the notion of his having been buried in the same grave with his duchess. The fact of its being unnoticed in the Abbey Register, might have arisen solely from an anxiety in the abbot not to give offence to the ruling powers, by recording the interment of one who had fallen a victim to their resentment.

This vault was perhaps ransacked soon after the dissolution of the monastery, for the purpose of obtaining every thing of value which could be found in it: the coffins, as was frequently the case, might have been stolen for the worth of the materials, and the bones were suffered to remain in one corner of the sepulchre, merely because they could not be converted into money. This receptacle for royal dust was destined again to be disturbed in 1709, 1729 and 1753, in order to admit the bodies of Samuel Hawling, his wife, and his son. Samuel and John Hawling were members of the corporation; but it is quite impossible to conceive how these “perriwig-pated aldermen” obtained permission to occupy this tomb.

In 1829, the remains of the family of Hawling were removed from this vault, and carefully deposited in a grave, which had been prepared for the purpose, a little to the southward, and their grave-stone was afterwards laid upon it. An

ancient stone coffin was then taken into the vault, the supposed bones of the royal duke and duchess were deposited in it, and here they were securely inclosed, by placing a large stone upon the top of the coffin.* However frequent therefore this vault may in future be visited, the remains of mortality which are in it cannot again be readily disturbed.

Some account of the modern monuments and grave-stones which are in the church, as well as of a few of the tombs, &c. in the church-yard, is given in a subsequent portion of this work.†

* The coffin, which is now in the Clarence vault, was dug up by the sexton, whilst he was making a grave for Mr. Samuel Jeynes, between the vestry door and the Trinity chapel, in 1775; and from the situation in which it was found, it is supposed to have been that of one of the Despenser family.

† See Appendix, Nos. 19, 20 and 21.

CHAPTER XIV.

INCUMBENTS OF TEWKESBURY.

PRIOR to the dissolution of the monastery, Tewkesbury was a rectory of considerable value; its emoluments were enjoyed by the abbot and convent, who appointed, from their own fraternity, a stipendiary curate. King Henry the eighth alienated the whole of the possessions of this church, which comprised most of the great and small tithes of Tewkesbury, Southwick, Ashchurch,* and Aston-upon-Carron, and the whole of those of Walton Cardiff, Fiddington and Tredington. The king reserved to himself the right of presentation, but the revenues being sequestered, the patronage was not worth retaining. As the crown therefore could not find any one who would accept this empty preferment, the parishioners, who had before been compelled to purchase the church and stipulate for its future repair, to prevent its demolition, at length found that they must also provide a clergyman at their own charge,† or suffer the public worship of God to be wholly neglected. It appears that the bishop of the diocese

* William Reade and his assigns had a grant from the abbey of Tewkesbury of "all their tithe wool and lamb" of the lordships and manors of Ashchurch, Newton, Walton, Fiddington, Aston-upon-Carron, Northway and others, from the 16th of Jan. 30 Hen. VIII. for eighty years.—*Records in the Registry of Gloucester.*

† A petition to Cromwell's parliament, in 1650, from the corporation of the borough, states "that they have, for above fifty years, at their own charge, by way of benevolence, maintained pious and learned ministers, who constantly did and still do preach twice every Lord's Day."

sometimes appointed a curate, at a small salary, which the towns-people were expected to provide, and at other times the inhabitants were wholly dependant on the clergy in the vicinity of the town, or on the casual attendance of clerical strangers, for the performance of the services of the church.

King James the first, in 1608, granted the rectory of Tewkesbury to Francis Morris and Francis Phelps, reserving to the crown the advowson and right of patronage, and merely charging the rectory with the payment of £.10 annually to the minister. This property subsequently devolved to Edwin Skrimshire, esq. whose conscience it appears would not suffer him to enjoy the property which had been wrested from the church; he therefore, in 1683, conveyed the tithes of Tredington and Fiddington to trustees, directing that, after the payment of £.12* to the minister of Tredington, £.12 to the minister of Ashchurch, and the £.10 before mentioned as having been granted by James the first to the minister of Tewkesbury, the residue should be appropriated towards the better maintenance of the officiating minister of the church of Tewkesbury. In consequence of this important augmentation to the living, the inhabitants petitioned the king, that the advowson might be given to Mr. Skrimshire; but this request, as might have been anticipated, proved unavailing. Under the powers of the Tredington and Fiddington inclosure act, land in lieu of those tithes has recently been allotted to the minister of Tewkesbury.

The benefice is now styled a vicarage, though the incumbent appears formerly to have been usually denominated "minister." It is still in the gift of the crown,† is situate in the diocese of Gloucester, and in the deanery of Winchcomb. The bishop holds a visitation triennially at Tewkesbury, and in the intermediate years there is an archidiaconal visitation.

* This sum was, in 1826, by an amicable arrangement, augmented to £.18 per annum.

† The benefice is valued in P. Nich. with the chapels, at £.58. 13s. 4d.; but is not in charge in the king's books.

The living, with the readership* annexed, is now of considerable value.†

Of the early incumbents of Tewkesbury we have little information: their names are not even recorded in the registry at Gloucester, nor in the archives of the parish.

The first minister, subsequent to the reformation, whose name we have been able to discover, was John Davis; he, in his will, dated 1543, is designated "priest."‡

In 1546, William Parsons described himself as "secondary" of Tewkesbury.§

Richard Drake, "curate" of Tewkesbury, in 1552, bequeathed by will to the church, 3*s.* 4*d.* and to the poor of the town, 3*s.* 4*d.*||

In several documents, in the registry at Gloucester, the name of Sir Stephen Berde¶ occurs: in one of them, dated 1554, he is called "secondary;" in 1556 he is described as

* The corporation of the borough has the appointment of a reader or assistant to the minister of Tewkesbury, and although the vicarage and readership are not necessarily enjoyed by the same individual, it has been the general custom for a long period to unite them. The small tithes and easter offerings are attached to the readership; and at the time these were devised by Mr. Geers, a Mr. John Pearce was reader, and also master of the free grammar school, but was never minister of the parish. As the small tithes of Tewkesbury would obviously be very inconsiderable, and the easter offerings of all such as could reasonably be expected to pay them, would amount to little, they have not been demanded within the remembrance of any one now living; but, as a compensation to the vicar, a collection has always been annually made for him by the church-wardens.

† See Appendix, No. 22.

‡ His will is in the registry at Gloucester.

§ Ibid.

|| Ibid.

¶ The title of *Sir* was formerly given to priests in holy orders, who had not taken their *degrees*; whilst that of *Master* was given to those who had commenced in the *arts*. Hence Fuller, in his Church History, quaintly says, "More Sirs than Knights." Shakspeare, in "The Merry Wives of Windsor," calls a Welsh parson, Sir Hugh Evans; he has also a *Sir Topas* in "Twelfth Night," and *Sir Oliver* in "As You Like It." Spenser, in more than one instance, designates a priest *Sir John*. Bishop Percy says, that the title of *Sir* was appropriated to such of the inferior clergy as were only *readers* of the service, and not admitted to be preachers.

“curate;” and in another instance he is styled “vicar” of Tewkesbury.

Sir Thomas Nott was “curate” in 1557: his name occurs in his official capacity in two wills,* in the registry at Gloucester, dated in that year.

In the register of baptisms, for 1597, and in two subsequent years, the name of “Ri. Curteis, mynister,” is frequently found.†

* As these wills are interesting, and relate in some degree to our subject, we shall here subjoin the substance of them: One is that of Sir John Assum, priest, dated April 7, 1557, who bequeaths his body to Tewkesbury church; and to the same church a vestment of blue silk, an awlbee named a stole, and a fañell belonging to the same vestment; another vestment of yellow silk, an awlbee and a fañell belonging to the same; a chrysabull of tawny velvet, two fañells of the same, with the stole and fañell; an awlbee, with fañells of gold, with imagery work upon the same awlbee; an amys of the same, and a stole and fañell belonging thereto, wrought with arms; a cloth of red and green silk, with the fringe, to hang before the high altar; a pall of black velvet, to serve for the use of the poor people as well as the rich; an altar cloth, for the high altar, of diaper; and a cross, with a foot belonging to the same cross, and a relic hanging upon the same.—The other will is that of Thomas Coke, of Tewkesbury, clothman, dated April 21, 1557: he bequeaths his tenement, with a garden, and its appurtenances, in the occupation of Richard Matthew, at the rent of thirty shillings per annum, lying in the High-street, Tewkesbury, to John Butler and Wm. Phelowe, bailiffs of Tewkesbury, and to T. Witherstone, Wm. Cole, Wm. Aly, and Richard Caryk, burgesses, their heirs and assigns for ever, to the intent that the bailiffs of Tewkesbury, for the time being, and the major part of the discreet burgesses of the said borough, shall apply the same to the reparations of Tewkesbury church, or to such other uses concerning the church, or God’s service, as they think fit; holding the said lands of the lords of the fee at the service usually due for the same. The residue of his lands, together with the leases which he had for a term of years, he bequeaths to Joyce his wife, for her natural life, or until the leases expired, if she should so long live; after her decease, to William his son; and if he die without heirs, his wife to dispose of the premises towards the foundation and erection of a free grammar school, or the foundation of a chantry, or some other charitable use, to continue for ever.

† In one of the parish registers, of the date of 1599, during the season of Lent, the following entry occurs:—“I graunted a license to William Phelpes, being then extremelye sicke, to eate fleshe, which license to endure no longer tyme then during his sicknes.

“Ri. Curteis, curate of Tewksburie.”

In 1628, the Rev. John Gere, A. M.* held the living; he also enjoyed it in 1641, although Nathaniel Wight styles himself minister in 1634, in which year his signature is attached to some licenses which he granted to his parishioners, permitting them to eat flesh during Lent. Mr. Gere appears to have been considered too orthodox for one of the two great religious parties which at that period divided the kingdom, and too heterodox for the other. He called himself "a preacher of God's word," and removed from Tewkesbury to St. Alban's, about 1645.

After the secession of Mr. Gere, the names of Richard Cooper and R. Wilkes sometimes occur in the parish registers; it is thought however that they were only assistant ministers, as it is stated, in a small work, printed at that period, that Mr. Gere was succeeded at Tewkesbury by the Rev. John Wells, "a godly preacher," formerly of Gloucester Hall.† Mr. Wells

* Mr. Gere, during the time he resided at Tewkesbury, published, (by authority of the House of Commons,) a pamphlet against Separate and Independent Churches, called "*Vindiciæ Voti*;" and also a sermon, entitled "Judah's Joy at the Oath, laid out for England's Example in embracing the Parliamentary Covenant with readiness and rejoicing." The sermon he dedicated to Nathaniel Stephens, esq. M. P. for the county of Gloucester; and it is stated, in the preface, that above four hundred inhabitants of Tewkesbury entered into the famous protestation or covenant for the defence of the protestant religion, (which the House of Commons agreed to and individually signed in May 1641,) the day after the discourse was delivered. Mr. Gere was also author of another tract, entitled "The Character of an Old English Puritan or Non-Conformist," published in 1646. From the tenor of this work, we may infer, that Mr. Gere was one of that class of religionists which Sir P. Warwick, in his *Memoirs of the Reign of Charles the First*, terms *Church Puritans*:—"whilst the church puritan opposed the more canonical churchman, the knave puritan overthrew both."—In a singular publication, entitled "The Great Evil of Health-Drinking," printed in 1684, it is said that the "worthy Mr. John Gere hath written a tract on purpose against Healthing."

† In this work, which was printed in 1657, and entitled "The Winchcomb Papers Reviewed, &c. for the use of Gloucestershire," Mr. Wells is said to be an "independent," and a "most eager disputant." It contains "A true Account of a Dispute at Winchcomb Parish Church, Nov. 9th, 1653," where the Rev. Clement Barksdale, of Sudeley, and the Rev. Mr. Towers, minister of Todington, both orthodox divines, publicly argued with the Rev. Mr. Helme, minister of Winchcomb, the Rev. Mr. Wells, of

was a zealous defender of Cromwell's power, and an active and useful instrument in the hands of the presbyterian party. Calamy has erroneously ranked him among those who were "ejected or silenced after the Restoration:" the mistake originated perhaps in the circumstance of the Rev. Francis Wells being ejected from this church, at a subsequent period.

The Rev. Thomas Burroughs,* a staunch republican, was minister in 1650,† and for several years afterwards.‡

Tewkesbury, the Rev. Mr. Tray, of Oddington, the Rev. Mr. Chaffey, of Naunton, and Colonel Aileworth, a justice of peace, who were all termed puritans, the following question: "Whether it be lawful to minister and receive the holy sacrament in congregations called mixt, (or, in our parish churches?)" The proceedings and arguments on this occasion are interesting, but the dispute ended, as might have been expected, without either party being brought to a change of opinion.

* By an order of the "committee for plundered ministers," dated July 1, 1646, the yearly sum of £.20 out of the impropriate rectory of Queinton, and £.30 more out of the impropriate rectory of Child's Wickham, in the county of Gloucester, sequestered from the Lady Fermor and Henry Fermor, esq. her son, recusants, were directed to be paid for the increase of the maintenance of the minister of Tewkesbury, as his income had been previously but £.10 per annum. And as the cure of the church was very great, the parish containing 2500 communicants, it was further ordered, that £.50 a year should be paid out of the profits of the impropriate tithes of Whitefield, in the said county, sequestered from Henry and Thomas Cassey, esquires, recusants, for the maintenance of an assistant to the said minister.—There being however no assistant appointed to the minister, it was, by an order of the same committee, dated Feb. 26, 1650, directed that the £.50 a year from the impropriate rectory of Whitefield should be paid, with all arrears thereof, unto Mr. Thomas Burroughs, minister of the church of Tewkesbury, until an assistant should be appointed.—*Tewkesbury Corporation Records.*

† In a register of church livings, temp. Cromwell, 1654, it is said, that Mr. Burweighes, a preaching minister, was incumbent of Tewkesbury; that the value of the vicarage was £.10 stipend, and a donation of £.3; and that the parish contained a thousand families.—*Leased MS. 459.*

‡ During Mr. Burroughs's ministry, banns of marriage were published in the market-place, and weddings solemnized before a county or borough magistrate: parties of the greatest respectability, from all the neighbouring villages in the counties of Gloucester, Worcester and Hereford, where markets were not held, flocked to Tewkesbury for the purpose of being thus united. In the old parish registers are numerous entries similar to the following:—"Memorandum, that a publication of a consent of marryage betweene William Parsons, of Tewkesbury, and Mrs. Jane Lechmere, of

About the year 1657, a Mr. Lewis* officiated here, but he probably never held the benefice.

In 1661, Mr. Robert Eaton was minister of Tewkesbury. In the registry of his death, which occurred in 1668, he is called a "godly minister of this parish."

In 1669, the Rev. Cuthbert Browne was elected minister of Tewkesbury.†

In 1674, the Rev. Francis Wells, ancestor of the late Dr. Wells, of Prestbury, near Cheltenham, held the living; and was deprived for non-conformity.‡

Hanley, in the county of Worcester, was made in the market-place at Tewkesbury, on the 17th day of March, 1654, and on two market-dayes in the two next weekes following. And afterwards, that is to say, on the 9th day of Aprill, 1655, they were marryed and declared husband and wife by Mr. Lechmere, a justice of the peace for the county of Worcester, in the presence of Mr. Langston, Mr. Warwick, minister of Hanley, &c."

* The notorious Ralph Wallis, "the Cobler of Gloucester," in his book entitled "More News from Rome," sarcastically laments that a clergyman should be allowed to "preach, as sometimes Dr. Lewis did, at Tewkesbury, and shew the reason why Melchizedeck was priest and king,—because the priest's place was a beggarly place, like Tewkesbury, it would not maintain a man, therefore he was king of Salem."

† The following entry appears in the corporation books:—"10th May, 1669. It is agreed, by the common council, together with several other inhabitants of the town, that Mr. Cuthbert Browne, clerk, is elected minister of this town, and to receive the moiety of the rents due to this borough out of the rectory of St. Ishmael, in the county of Pembroke, and £.10 out of the rectory of Tewkesbury aforesaid, together with £.1 per annum out of Mr. Poulton's house."

‡ In 1678, the common council resolved, that, for preventing the present inconveniences which the town is under for want of a preaching minister, Mr. Wells be requested to resign. Mr. W. affirmed that he had committed no fault that deserved suspension, and refused to resign; upon which, the common council ordered, that such course should be forthwith taken against him, as might cause his deprivation. The chamberlain was afterwards ordered to pay Mr. Wells so much of the salary of £.10 from the rectory of Tewkesbury, as was due to him at Michaelmas, and also £.11. 5s. which was due to him at St. Paul's tide, from the tithes of St. Ishmael's, provided he would resign his cure; and that, upon his resignation, "the common council should give him a fair character according to his deserts."—In 1679, it was ordered, that the town-clerk should proceed upon the articles he had exhibited against Mr. Wells, to cause his deprivation, at the public charge; and that ten shillings a day should be paid by the chamberlain to such minister as might be procured to preach at Tewkesbury during the vacancy.—*Corporation Records.*

In 1687,* the Rev. Robert Eaton, son of a former incumbent, died whilst he was in possession of the benefice; although the names of John Matthews and Samuel Edwards occur as preachers in the preceding year.

The Rev. John Matthews was inducted to the benefice in 1689, and held it for thirty-nine years. In the early part of his ministry he sometimes denominated himself "pastor," at other times "minister," and subsequently "vicar." A prosecution was instituted against him during the time he held the living: the specific offence with which he was charged is unrecorded, and from his retaining his situation many years afterwards, it may be inferred that the object of his accusers was frustrated.† He resigned the living in 1728, and died in the following year.

In 1728, on the cession of Mr. Matthews, the Rev. Henry Jones, A.M. was instituted to the benefice, but he died shortly afterwards.

* In the register of baptisms, for 1678, it is said, that "Mr. Matthias Maid, church-warden, gave a surplice to the parish, which had been without one ever since 1641, in which year it was torn by Richard Morgan, glover."

† From the corporation books it would appear, that the dispute was principally between the minister and the corporation, respecting the readership, which is in the gift of the latter. Whilst the prosecution was pending, the corporation retained in their hands the whole of the rents of the property at St. Ishmael's, a moiety of which belongs to the minister; and in 1705, they presented a petition to the Lord Chancellor in favour of Mr. Richard Cox, whom they recommended to be minister in the room of Mr. Matthews, in case of a vacancy. In the year following, the corporation resolved, "that Mr. Richard Cox, M.A. who has been reader of divine service in the church of Tewkesbury since the death of Mr. John Pearse, by the order of Mr. Bailiffs and consent of the chamber, is now confirmed, elected, nominated and appointed reader of divine service in the church of Tewkesbury, and reader and assistant to the curate or minister there, and to have and enjoy all stipends, wages, salary, and profits thereto belonging." The matter having been at length left to the decision of the bishop of the diocese, his lordship, in 1710, recommended that the moiety of the rents of St. Ishmael's should be forthwith paid by the corporation to Mr. Matthews, according to the will of Sir Baptist Hickes, in order "to put a final end to all differences, and to establish a firm and lasting friendship between them and the said Mr. Matthews." This recommendation was adopted, yet notwithstanding, in 1712, Mr. Samuel Savage, clerk, "who had officiated as reader since Mr. Richard Cox's time," was elected to that office by the body corporate.

The Rev. Penry Jones, clerk, succeeded his brother, in 1729, and held the vicarage until his death, which happened in 1754.

The Rev. Henry Jones, A.M. son of the before-named Henry Jones, was instituted to the living on the death of his uncle, in 1754. He was also perpetual curate of Tredington; and died in 1769, in the forty-seventh year of his age, having held the vicarage fourteen years.*

In 1769, the Rev. Edward Evanson, A.M.† was, through the interest of Mr. Dodd, M.P. for Reading, presented to the vicarage of Tewkesbury, by Lord Chancellor Camden. He soon afterwards obtained the vicarage of Longdon, in the county of Worcester, in exchange for the vicarage of South

* During the ministry of the Rev. H. Jones, an "impudent footman," of the name of George Williams, who was an Unitarian, in the service of Mrs. Bromley, a highly respectable inhabitant of the borough, caused great uneasiness to the pious vicar. He was a regular attendant at church, on Sundays, and invariably left his seat while certain portions of divine service were performed; by his manner of opening and shutting the doors, both when he quitted and when he returned to his pew, he always contrived to disturb the congregation; and his behaviour at the ministration of the Lord's Supper was particularly offensive. In the year 1765, Williams published a pamphlet against the doctrine of the Trinity and the liturgy of the Church of England, entitled "An Attempt to restore the supreme Worship of God, the Father Almighty." Although he was only the nominal author of the work, yet as he was supposed to have some abettors and advocates among the more respectable part of his parishioners, Mr. Jones felt it his duty to communicate the circumstances to his diocesan, the celebrated Bishop Warburton; and through the kindness of George Worrall Counsel, esq. of Gloucester, who has the original in his possession, we have been furnished with a copy of the reply of this distinguished prelate to Mr. Jones, dated from Bath in 1764. (See Appendix, No. 23). Shortly after this period, Williams left Tewkesbury, and afterwards resided at Overbury, but was subsequently one of the Rev. Edw. Evanson's staunchest supporters. A few years before his death, which happened in 1789, he printed and published what he termed "his creed,"—a foolish rhapsody, which had not even the merit of originality to recommend it.

† Mr. Evanson was born at Warrington, Lancashire, April 21, 1731, and received his education under his father's eldest brother, who was vicar of Mitcham, Surrey. At fourteen years of age he was entered at Emanuel College, Cambridge, where, in 1749, he obtained the degree of B. A. and that of A. M. in 1753. At this period he assisted his uncle in the education of pupils, and became his curate.

Mims, near Barnet, which had been given to him in 1768; and about the same period he was presented to the perpetual curacy of Tredington, by the bishop of Gloucester.* Shortly after Mr. Evanson's appointment as vicar, he expressed his dissent from some of the essential doctrines of the church of England; a change of opinion which eventually brought him into much notoriety. On Easter Sunday, 1771, he chose the doctrine of the Resurrection, as taught in the first epistle to the Corinthians, for the subject of his discourse, at Tewkesbury; from the manner in which he treated it, he gave great offence to many of the most respectable of his congregation; and this displeasure was much heightened by some alterations which he constantly made in the Apostles' Creed and other parts of the service of the church. A prosecution was subsequently commenced against him in the Consistory Court of Gloucester, which was carried on for a long time, and at a great expense both to Mr. E. and his prosecutors. The criminal facts with which he was charged were, that, in two private conversations, as well as in a sermon preached upon Easter Sunday, and in a pamphlet entitled "The Doctrines of the Trinity," and also in an answer to a letter sent to him by his prosecutors, he had offended against the fourth, fifth and sixth canons; and, both in the sermon and pamphlet, against the 13th of Eliz. c. 12, s. 2; and that, in two verbal alterations and two verbal omissions, in his performance of the public service, he had several times transgressed the fourteenth and thirty-eighth canons. The court having granted a commission to examine evidence, it was opened

* Bishop Warburton, in a letter to Bishop Hurd, says, "the Chancellor has given the vacant vicarage of Tewkesbury to one Evanson, of your college, whom I have instituted; and as he introduced himself to me in your name, I have given him some expectations of a perpetual curacy in the neighbourhood, in my gift, to help him to pay his curate of Tewkesbury." In a subsequent letter, however, he calls him "a conceited innovator." Bishop Hurd, in a note on the above passage, says, he wished to serve Mr. Evanson, on account of his being of the same college with him; and observes, "he afterwards addressed a printed letter to me, of which I took no notice."—*Warburton's Letters*.

with great formality in the abbey church, April 6, 1774; it was continued by adjournment at a tavern until the 16th of the same month, and six and twenty witnesses were examined in support of the prosecution. The cause came to a hearing before the Bishop and the Chancellor of Gloucester on the 16th of January, 1775, but Mr. Evanson's proctors declined entering into the merits of the case, and took exceptions as to the regularity of part of the proceedings: the court over-ruled these exceptions, and ordered the parties to go into the merits. To this order the vicar's proctors appealed to the Arches-Court of Canterbury, and the appeal was heard before Sir George Hay, in Doctor's Commons, on the 26th of May, 1775. The Dean of the Arches, after having heard the proctors on both sides, not on the merits but on the exceptions, pronounced for the appeal, and dismissed Mr. E. from all further judicial proceedings in the cause, and condemned Mr. Havard, the promoter, in costs. Mr. Havard afterwards appealed from this decree to the Court of Delegates, and the cause was argued at great length in Easter and Trinity terms following: the judges reversed a part of the decree of the Court of Arches, and assigned the cause for a further hearing. Through the whole of this protracted suit, Mr. Evanson enjoyed the legal assistance of Mr. Wedderburn, then solicitor-general, (afterwards Lord Rosslyn,) free of all expense; and was also, in 1775, appointed his domestic chaplain. Mr. Evanson, in conjunction with a curate, performed the church service, alternately at Tewkesbury and Longdon, until the year 1775; when he left his curate at Tewkesbury, and went to reside wholly at Longdon. In 1778, he published the sermon, which had given so much offence, with an affidavit of its literal authenticity, accompanied by "An Epistle Dedicatory to the worthy Inhabitants of Tewkesbury who defrayed the Charges attending his Defence." This it appears he did, in consequence of his opponents having published "A Narrative of the Origin and Progress of the Prosecution against the Rev. Edward Evanson," which was drawn up by the late Neast Havard, esq. town-clerk of the borough; who afterwards published "A Word at

Parting ; being a few Observations on a mutilated Sermon, and an Epistle Dedicatory to the worthy Inhabitants of Tewkesbury, lately published by Edward Evanson, M. A. to which are added the Arguments of Counsel in the Court of Delegates, touching Mr. Evanson's Prosecution." Previous to the appearance of these publications, Mr. E. resigned his livings, upon which the prosecution against him was immediately dropped, and Mr. Havard was of course saddled with the costs. Mr. Evanson retired to Mitcham, where he undertook the education of a few pupils ; the father of one of them, Colonel Evelyn James Stuart, son of Lord Bute, settled an annuity upon him, which was regularly paid until the time of his death. His last days were spent in privacy at Colford, in the Forest of Dean, where he died on Sept. 25th, 1805. Dr. Chalmers, the compiler of the General Biographical Dictionary, affirms, that Mr. Evanson was "one of the most determined opponents of revealed religion in modern times ;" and Mr. Gilbert Wakefield, in his Letters, calls him "a notorious and confirmed heretic." His biographer, in the Monthly Magazine,* says, "however widely Mr. Evanson might differ from other Christians in points of speculation, he was himself a decided believer in divine revelation ;" and in a letter, written by Mr. Evanson, a short period before his death, dated from Clifton, where it appears he had gone for the recovery of his health, he observes, "the surgeon tells me that I may obtain relief, but God knows how far he may be right, and I am not at all anxious about the event: at the age of seventy-four, life begins to be of little value, either to myself or others, but my future prospects are full of comfort." Whatever may have been Mr. Evanson's errors, in matters of religion, he is universally allowed to have been a man of very considerable learning and abilities: he appears also to have been honourable, humane, and benevolent; and, in domestic life, highly exemplary.

The Rev. James Tattersall, A. M. had the vicarage presented to him, on the resignation of Mr. Evanson, in the year

* Monthly Magazine, Dec. 1805.

1777, and he retained it until his premature and melancholy death in 1791.*

The Rev. Robert Knight, A. M.† was instituted to the living in 1792; he held the rectory of Baynton, Worcestershire, as

* He was the third son of the Rev. James Tattersall, rector of St. Paul's, Covent-Garden, and of Streatham, Surrey, by Dorothy, daughter of the Rev. William De Chair, and sister of the Rev. Dr. John De Chair, rector of Little Risington, Gloucestershire. While on a visit to his brother, the Rev. William De Chair Tattersall, at Wotton-under-Edge, he was thrown from his horse and dragged a considerable way with his foot hanging in the stirrup, by which accident several of his ribs were broken, and he was otherwise so much bruised, that he expired in about an hour afterwards. He was buried at Wotton, where the following well-merited tribute of affection has been placed to perpetuate his worth :—"Sacred to the memory of the Rev. James Tattersall, A.M. vicar of Tewkesbury, who died by a fall from his horse, May 9th, 1791, aged 38 years. Strength of judgment and sweetness of disposition he received from nature ; to these he added the support of sound religious principles; and this union of good qualities, with the best acquirements, produced an amiable character, and an exemplary life. His brothers, the Rev. John Tattersall, and the Rev. William De Chair Tattersall, (vicar of this parish,) impressed with the deepest sorrow for his loss, and impelled by the sincerest affection and gratitude, have caused this monument to be erected."—Mr. Tattersall's eldest brother, John, was vicar of Harewood, Yorkshire, and a king's chaplain; his brother William was also a king's chaplain, rector of Westbourne, Sussex, and vicar of Wotton-under-Edge, Gloucestershire, for upwards of fifty years, and died March 26, 1829. The latter gentleman published, in 1791, a Version or Paraphrase of the Psalms, adapted to public and private devotion, originally written by the Rev. J. Merrick; in 1795, he also published Improved Psalmody, in three parts, the music of which was printed with types; and subsequently, two volumes of Psalms, with new engraved music.

† The Rev. Robert Knight died on the 23d of July, 1819, aged 53, at Trevenon, near Llandrindod Wells, Radnorshire, shortly after his arrival there for change of air. He had previously resided for many years at Newton, Glamorganshire, and was brother of the late Colonel Knight, of Tythegston Hall, in that county. Mr. K. was a man of strict integrity, and was possessed of considerable literary attainments: in addition to several smaller works, he published, in 1818, "A cursory Disquisition on the Conventual Church of Tewkesbury and its Antiquities," nearly the whole impression of which was soon afterwards destroyed by a calamitous fire in Messrs. Bensley's printing-office. He was, early in life, a cornet in the seventeenth regiment of light dragoons, and received the half-pay of a cornet until the time of his death. The fortunate manner of his obtaining two crown livings at once is somewhat singular: Lord Chancellor Thurlow had promised him, through the medium of a friend, the rectory of Baynton, but before he had been inducted thereto, or had even been to view it, the

well as the vicarage of Tewkesbury, from that period until 1818, when, with the consent of Lord Chancellor Eldon, he exchanged with the Rev. Charles White the latter preferment for Mickleton* cum Ebrington, in the county of Gloucester.

Mr. White, the present incumbent, was instituted in June, 1818;† he was soon afterwards presented to the perpetual curacy of Deerhurst, and, on the death of Dr. Welles, late vicar of Prestbury, was appointed rural dean of the deanery of Winchcomb, by Bishop Ryder.

vicarage of Tewkesbury became vacant. Mr. Knight immediately waited upon his lordship with the information, solicited the living of Tewkesbury in preference to that of Baynton, and obtained a promise that he should make his own election. After he had inspected both, he intimated to the chancellor that the income of the two would be barely sufficient for a proper maintenance, whereupon his lordship surprised the applicant by informing him that he might take them both! The chancellor resigned the seals a few hours afterwards; he had therefore probably thought that he might as well have the satisfaction of disposing of both preferments, as of leaving the patronage of either of them to his successor.

* Mr. White was presented to the vicarage of Mickleton in the year 1797, by the then Lord Chancellor; and on his lordship's death, was appointed domestic chaplain to his widow, the Countess Dowager of Rosslyn.

† When the Rev. Charles White obtained the benefice, there was no vicarage house attached to it. The present residence was completed in the year 1827, under the worthy vicar's immediate superintendence, and according to his own designs. Towards the purchase of the land and the erection of the house, £.852 was raised by voluntary subscription; the governors of Queen Anne's Bounty gave £.600, and also lent £.340 on mortgage of the living, with the usual condition, that three per cent. interest and five per cent. redemption should be annually paid until the loan was discharged.—In the list of subscribers appear the following names: J. E. Dowdeswell, esq. M. P. and John Martin, esq. M. P. each, £.150; the Hon. and Right Rev. Dr. Ryder, bishop of Gloucester, £.125; Wm. Dillon, esq. £.52. 10s.; General Dowdeswell, J. M. Barnes, esq. and E. W. Jones, esq. each £.50; the Hon. Mrs. Yorke, Mrs. Mines, Philip Godsall, esq. Samuel Barnes, esq. and J. S. Olive, esq. each, £.20; John Hurd, esq. and Joseph Longmore, esq. each, £.10. 10s.; Mrs. Martin, Thos. Vernon, esq. John Terrett, esq. and Mr. John Moore, each £.10. Various smaller subscriptions amounted to £.63. 10s.

CHAPTER XV.

DESCRIPTION OF THE TOWN, ITS GOVERNMENT, TRADE, &c.

TEWKESBURY is generally considered a very handsome and improving town. The three principal streets are spacious and well-paved: the most extensive of these is the High-street, (formerly called Oldbury-street,) which is wide and elegant, leading from the centre of the town towards Worcester; Church-street, in the direction of Gloucester and Cheltenham, is nearly as long, but the curvature near its centre renders its length less perceptible; and Barton-street, which is the third considerable street, connects the town with the Evesham and Stow roads.

There is also a new street, lately opened, by means of which a more ready communication betwixt the High-street and the Oldbury is obtained; besides which, there are a number of lanes, alleys and passages, branching from all the principal streets.

A considerable part of the Oldbury,* all of which, until the year 1808, was commonable land, has very recently been covered with buildings: there are now nearly two hundred houses in that portion of the town, the first of which was built in 1810.

* Oldbury sometimes denotes a place that was the site of a camp or fortification, and sometimes it means the "old town;" though it is a name which has much more frequently been given to meadows or pieces of inclosed ground belonging to religious houses.

The houses in Tewkesbury are chiefly built with brick, the manufacture of which is carried on to a large extent on the banks of the Severn, both above and below the town. There are still existing, in various parts of the borough, some excellent specimens of the domestic architecture of the time of Queen Elizabeth: the whole building is strongly framed with timber, and the upper stories project so much over the lower, that were these houses to be regularly placed on each side of a narrow street, their tops would meet, and completely shade the way beneath. One of the most perfect examples of this description of dwellings, is the general coach-office, adjoining the Swan Hotel, in the High-street.

A large stone cross formerly stood in the open space in the centre of the town; the bailiffs, in 1650, ordered it to be pulled down, and caused the materials to be used in the reparation of the long bridge, leading to the Mythe. There is no memorial to shew us when or for what purpose this cross was erected: Leland terms it the "market cross," and the spot is to this day frequently called "the cross."*

* Stone pillars or crosses were erected in different æras and on various occasions: independently of those in very remote ages, (such as are mentioned in the Old Testament, and those raised by pagans for idolatrous purposes,) our ancestors, in early times, put up crosses in places where the people commonly assembled in public, or where several roads met. At such crosses, the corpse, in being carried to the grave, was set down, that the people attending might pray for the soul of the departed. Mendicants also usually stationed themselves near them, and solicited alms for Christ's sake; and hence the proverb, "he begged like a cripple at a cross." They were sometimes erected on the spot where persons had met with untimely and violent deaths; and the one at Tewkesbury might have been built to commemorate the melancholy fate of the Duke of Somerset and others, who were beheaded in the place where it stood, after the overthrow of the Lancastrian army in 1471. The fact of a stone cross having been erected at Blore Heath, Staffordshire, after the battle there, in which Lord Audley, who commanded on the side of the house of Lancaster, was defeated and slain, would serve in some degree to strengthen such an opinion. Crosses were also sometimes placed to mark where any singular instance of God's mercy had been shewn; or where the corpse of any distinguished individual rested as it was carried to be buried; and more frequently in churchyards, to remind the people of the benefits vouchsafed to them by the cross of Christ.

Near the middle of the Church-street, there is a broad space, which, from being called the Bull-Ring, is supposed to have been the spot anciently appropriated to the barbarous and almost obsolete diversion of bull-baiting.

In the year 1786, an act of parliament* was obtained, for paving, improving, lighting and watching the streets; † and to the strenuous and laudable exertions of the commissioners may be attributed their present cleanliness and excellent condition. A deep and muddy gutter formerly ran down the centre of each street, and lesser ones, from the several lanes and alleys, united with it; these were considered so dangerous, that poor persons regularly stationed themselves at the several entrances into the town, and obtained a livelihood by leading the horses of travellers from one end to the other.

Nearly adjoining to the town is a large tract of fine meadow land, called the Severn Ham, containing nearly two hundred acres, the property of John Edmund Dowdeswell, esq. the Hon. Henry Augustus Berkeley Craven, and others. This meadow was formerly commonable to the resident freemen, and the occupiers of dwelling-houses fronting the three principal streets, from the 12th of August to the 13th of February; but an act of parliament was procured, in the year 1808, for vesting the aftermath in trustees, who now annually divide the produce of it among such persons as would have been entitled to a right of common if the act had not been obtained.

The same act also empowered the trustees to inclose the Oldbury Field, the Oldbury Meadows, Lilly Croft and Lilly Croft Meadow, which before were commonable, from the 4th of September to the 2d of February, to the same persons who were entitled to pasturage in the Severn Ham.

According to the returns made in 1821, under the directions of the population act, the parish of Tewkesbury contained 1172

* The titles of the local acts of parliament, relating to the borough, are given in the Appendix, No. 24.

† The representatives in parliament liberally contributed towards the paving and improvement of the streets, in 1790: Sir William Codrington, bart. gave £.500, and James Martin, esq. gave £.300.

families, 122 of which were employed in agriculture, 865 in trade and manufactures, and 125 which were not comprised in either of those classes. The number of inhabitants was stated to be 4962, viz. 2368 males and 2594 females; and there were 1044 inhabited and 88 uninhabited houses.

When the population returns were made in 1811, Tewkesbury contained 1007 families, 71 of which were employed chiefly in agriculture, 873 in trade and manufacture, and 63 were not comprised in either of those classes. The number of inhabitants was calculated to be 4820, viz. 2201 males and 2619 females; there were then 959 inhabited and 33 uninhabited houses, and 11 houses being built.—When the census was taken in 1801, there were 1146 families, occupying 859 houses; and the population amounted to 4199 persons, viz. 1932 males and 2267 females.—In 1792, there were 3768 inhabitants, viz. 1793 males and 1975 females.—The population of the town, in 1723, amounted to 2866 persons, viz. 1234 males and 1632 females.

It is evident that the population lists, in 1821, were very incorrectly taken: the inhabitants must have been then considerably more numerous than they were stated to be, and since that period also they have much increased. The population would now probably approach nearly to 6000 souls.

The earliest trade of the town seems to have been confined chiefly to the commerce in grain, flour and malt, which the inhabitants were enabled to carry on to great advantage by means of their fine navigable rivers.

The traffic on the Severn and the Avon, from Tewkesbury, is now very considerable, and might be increased to almost any extent, if individuals of an enterprising spirit would embark their capital in mercantile speculation; since few places in the inland part of the kingdom are more advantageously situated for trade. Should the projected union of the Birmingham and Worcester canal with that of Gloucester and Berkeley, ever be carried into effect, which has been for some years a favourite scheme with many persons both in Birmingham and Bristol, the commercial prosperity of this town would in all probability be greatly augmented.

A double lock might be erected, at a trifling expense, across the mouth of the river Avon, at the bottom of the quay; a floating dock could thus be formed, capacious enough for a more extended trade than the most sanguine can ever hope to witness in our rivers. If this were effected, the present confined quay might readily be made a very commodious one, with every convenience for loading and unloading vessels.

A rail-road from Bristol to Birmingham has often been contemplated; should this project also ever be realized, it has been anticipated that the most beneficial effects would be felt by the trading interests of the town, through or near to which the road must necessarily pass.

The corporation, by their early charters, were empowered to grant privileges to companies of traders; all persons who were not free of the borough, were prevented from settling here in business, and journeymen were not allowed to work at their trades, unless they were members of one of the incorporated companies. In the infancy of commerce, these combinations might possibly have had their advantages, but they would be very ill suited to the present times. There has always been, since the year 1581, a company of "cordwainers and shoe-makers," which is the only company now existing. There was a company of "drapers and dyers," and another of "tailors," which, being afterwards united into one fellowship, was dissolved only a few years since.* There

* In the preamble to a grant from the corporation of the borough to the company of tailors, in the forty-third year of the reign of Queen Elizabeth, it is stated, that "tyme oute of mynde there hath ben a felowshipp or brotherhoodd of the misterie of taylors within the boroughe of Tewxburie;" and adds, that for many years the company of "drapers and dyers" had been united to that of the "tailors," but from some disagreement they had lately been separated. This grant or charter permits their re-union, and states that henceforth they should be "reputed and allowed to be one companie, fellowshipp and brotherhoodd, to be called by the name of the fellowship of drapers, dyers and taylors of the burrough of Tewkesburie." The original rules of the company appointed the annual election of one of the most discreet members to be "master," and one of the younger ones to be "clerk or beedle:" the former was to collect the "fynes," and pay one half of them to the bailiff, for the use of the whole borough, and apply the other half to the use of the said fellowship; the latter was to attend the

were also companies of "weavers,"—"coopers and joiners,"—"haberdashers or mercers,"—"butchers,"—"bakers,"—"smiths,"—"tuckers," and one of "whittawers, glovers, point-makers, pursers, and pouch-makers."

This town was formerly celebrated for its manufacture of mustard balls, which were sent to the most remote parts of the country, and being remarkably pungent, gave rise to the proverb, "He looks as if he lived on Tewkesbury mustard;"* which continues to this day to be applied to those prigs who exhibit a more than ordinary degree of pertness.† Shak-

master, summon the company, &c. Subsequently, a warden, high master, low master, and beadle, were annually chosen. The primary object of the company appears to have been to prevent persons from exercising any of their trades within the borough, unless they were members of the fellowship; to entitle them to this honour, they must have served seven years' apprenticeship, and have paid their admission fee; which, from those apprenticed in the town, was only three shillings and four-pence; but strangers were compelled to pay a much larger sum, and on some occasions four pounds were paid. The fees were generally spent in breakfasts by the fellowship. On one occasion the corporation of the borough agreed with this company, that so long as there were in the town fourteen master tailors, which they "conceived a sufficient and competent number, and rather too many than otherwise," they would not, without the consent of the fellowship, admit a stranger, being a tailor, to the freedom. About twenty years since, the company of tailors consisted of only three members, viz. Thomas Waldron, William Sweet, and Samuel Lintridge; being all far advanced in life, they agreed not to admit any other person into the fellowship, and that the one who lived the longest should inherit the company's estate. Lintridge survived the others, and disposed of the property, about the year 1812, by which he realised nearly six hundred pounds!

* Ray's Proverbs.—Grose says, the Tewkesbury mustard was extremely hot, biting and poignant; and therefore, by this proverb, supposed to communicate those qualities to persons fed with it.—And in an allegorical account of mustard, (Cens. Lit. vii. 288,) is this saying, "If he be of the right stamp, and a true Tewkesbury man, he is a choleric gentleman, and will bear no coals."

† Fuller, in his Worthies of England, speaking of mustard, says, "The best in England (to take no larger compass) is made at Tewkesbury. It is very wholesome for the clearing of the head, moderately taken; and I believe very few have ever surfeited thereof. It is generally used in England; and the jest is well known, of two serving-men contending about superiority: 'My master,' saith the one, 'spends more in mustard than thine does in beef.' Whereunto the other returned, 'The more saucy men his followers.'"

speare, in his play of King Henry the Fourth, puts into the mouth of the merry Falstaff, in his reply to a person who had extolled Pains for a wit: "he a good wit? hang him, baboon! his wit is as thick as Tewkesbury mustard."* The manufactory has long ceased to be carried on in the town, though nothing could be more easy than to restore it; as the mustard, which grows spontaneously in the corn-fields, and other places, in the neighbourhood, and which is in fact here a common weed, is of the same species as that which is cultivated with so much care, in the north of England, for the sake of its flour.†

There were numerous manufacturers of gloves in Tewkesbury about the time of the commonwealth, but the trade has long since been lost to the town.

Worsted combing was carried on here to some extent in the reign of Queen Anne; and in that of her successor, Tewkesbury enjoyed a portion of the clothing business,‡ but how long it had flourished is uncertain.

The malting business was one of the principal sources of wealth to the inhabitants for some centuries: the trade is still very considerable, though it is now of much less importance than formerly.

* Second Part of King Henry IV. act 2, scene 4.

† The ancient method adopted in the manufacture of mustard, at Tewkesbury, perhaps deserves the attention of those who in the present day are anxious to obtain this simple article of luxury in perfection: the antiquated mode of bruising the seed of course need not now be adopted, as it must be immaterial how the flour be obtained, so that it be genuine. The good housewives here however uniformly pounded the mustard seed in an iron mortar, with a large cannon ball, or other hard substance of a similar shape and size; and after the flour had been carefully sifted from the bran, it was mixed in a cold infusion of horse-radish, and well beaten or stirred up for the space of at least an hour. It was considered that the horse-radish imparted great additional purgency to the mustard, and that the continued beating gave it that consistency and strength which were deemed essential to its good preservation.

‡ Two pieces of fine broad cloth, of the manufactory of the town, valued at forty-five shillings a yard, were sent from hence as presents—one to King George the first, when he was only Elector of Hanover, and the other to King George the second.

The manufactory of nails was for a long time one of the staple trades of the borough: it was originally conducted with much spirit, and it again bids fair to be a flourishing business.

The principal manufactory now carried on in the town is that of stocking frame-work knitting.* This important branch of our domestic trade is supposed to have been introduced at Tewkesbury about the beginning of the eighteenth century, though it was conducted only on a small scale until within the last seventy years. In 1810, the number of stocking frames employed in the town was reckoned to be eight hundred; they were accurately counted in 1819, at a time when the trade was in a very depressed state, and they were then only five hundred and fifty-nine. At present, there are between seven and eight hundred frames at work, and it is calculated that these afford employment to about fifteen hundred individuals, or more than one fourth of the entire population.

A manufactory of cotton thread lace was established in the Oldbury, in 1825. The buildings are very commodious, and the machinery is of the most costly and perfect kind. We sincerely hope that the large capital which is embarked in

* The common stocking frame was invented by the Rev. William Lee, a native of Nottinghamshire, in 1589; not many years after the introduction of the art of knitting hose into this country, which was brought from Spain, and unknown in England until 1561. The stockings in general use were previously made of cloth, or of milled stuffs, sewed together. The stocking frame is made chiefly of iron, and is exceedingly ingenious and complex. We are indebted for the invention of this useful machine to the expulsion of Mr. Lee, from St. John's College, Cambridge, for marrying, contrary to the statutes of the university. Being thus deprived of the means of subsistence, he was reduced to the necessity of living upon what his wife could earn by knitting stockings, which gave a spur to his inventive faculties; and by closely observing the working of the needles in knitting, he formed in his mind the model of that curious frame which has proved of such singular advantage to that branch of our manufactures. Not meeting with the encouragement and protection at home, which his discovery merited, Mr. Lee and nine of his servants settled in France, under the patronage of Henry the fourth, but the sudden murder of that monarch deprived him of the power of recompensing our unfortunate countryman in the way he had promised, and Mr. Lee died in France of a broken heart. Seven of his workmen then returned with their frames to their native country, and laid the foundation of this manufacture in England.

the speculation may be productive of wealth to the projectors, and of advantage to the town.

A distillery and rectifying-house, on an extensive scale, were established at Tewkesbury, about the year 1770. The distillery was built in the meadows, on the Bushley side of the Severn, but the foundations of it cannot now be discovered. The rectifying business was carried on in the town; and from that period to the present it has continued to prosper, under the superintendence of highly respectable proprietors.

There are two opulent banking establishments in Tewkesbury; one under the firm of "Lechmere, Wall, Isaac and Lechmere," and the other under that of "Nathaniel Hartland, John Allis Hartland, and Nathaniel Hartland, jun."

A provident bank, for the savings of the industrious, in the town and neighbourhood of Tewkesbury, was established in the year 1818.

There are two excellent posting-houses in the town; the Swan, in High-street, and the Hop-Pole, in Church-street; these, and several other respectable inns, afford all those comforts and accommodations which travellers in the present day expect to find in houses of public entertainment.

As Tewkesbury is situated in the direct line of communication between the northern and western parts of the kingdom, as well as nearly equi-distant from the fashionable watering places, Cheltenham and Malvern, and is also in the high road from London to Hereford and South Wales, there is consequently much travelling through the place.

More than thirty stage coaches, including the mails, pass through the town daily; besides a number of waggons, vans, &c. to and from London, Birmingham, Bristol, and the neighbouring towns. Twenty years ago, there was not a single coach from this place to Cheltenham, and now there are ten which daily travel through it to that resort of fashion, and the same number pass again on their return from thence to Malvern, Worcester, Hereford, &c.

The letters from London, Oxford, &c. are brought by the Gloucester mail to Cheltenham, and are from thence imme-

diately forwarded by a four-horse mail-coach, which arrives in Tewkesbury at a quarter before nine in the morning, and continues its route to Ledbury and Hereford, at which place it arrives at half-past twelve. It returns at half-past two, bringing the letters from Herefordshire and South Wales, and starts from Tewkesbury to Cheltenham at a quarter before six, in time to meet the Gloucester mail on its return to London. The mail from Bristol to Birmingham passes through the town a little after twelve at night; and that from Birmingham to Bristol a little after one in the morning; by these conveyances, letters from all parts of the north and west are received, which are delivered at an early hour in the morning, along with the London letters.

Old copper and brass tokens, which were issued for the convenience of trade, and inscribed with the names and sometimes with the devices of tradesmen, are often picked up in the gardens about the town. They are of various dates, principally between the years 1570 and 1690. From the extensive circulation of tradesmen's silver and copper tokens, a few years since, the more ancient local coins have lost much of that artificial value which was previously attached to them.

The public amusements at Tewkesbury are of a similar description to those of most other inland trading towns.

Regular subscription dancing and card assemblies are held, during the winter, at the Town-hall, and are numerous and respectably attended.

A public library and news-room was established in 1828, and we trust that it will meet with sufficient encouragement to insure its continuance.*

An elegant little theatre has recently been fitted up; and during the Cheltenham season, the dramatic company from thence frequently perform here. As the managers occasionally

* A permanent library was attempted to be established here in 1802, but it was broken up in a few years. Another was set on foot in 1814, and carried on at first with considerable spirit; in 1823 it was agreed to discontinue it, and the whole of the books were disposed of, by way of raffle, among the subscribers.

bring with them some of the first-rate London performers, the admirers of the drama at Tewkesbury have more frequent opportunities of witnessing superior theatrical talent, than the inhabitants of most other places.*

The Severn Ham presents an excellent level course for horse-racing. We have no account of races at Tewkesbury before 1721; in that and the following year His Royal Highness the Prince of Wales gave a gold cup, of fifty guineas value, to be run for in the Ham. The first was won by John Brydges, esq.

* Although this theatre was not fitted up in its present style until 1823, the building had for several years before been occasionally used for theatrical exhibitions. Previously, the Oldbury barn, or an empty malt-house, had usually been selected; though at one time, two rival temporary theatres were erected in the fields, just without the limits of the borough. One of them was in the Rails Meadow, and occupied by Robinson and Thornton's company; the other was in a meadow, called The Pantry, to the eastward of the Bredon road, adjoining the Carron brook, and was under the management of the elder Kemble. The manager, his wife and his young family were the principal performers: here, therefore, it may be presumed, that the late John Kemble, Mrs. Siddons, and their brother Stephen, often displayed their embryo talents to a "beggary shew of empty benches." In a recent publication, the following anecdote of Kemble is recorded; and as it relates to Tewkesbury, it is here preserved: we ourselves can well remember, how joyously poor Watson would relate it, in his mirthful moments, and how earnestly he would attest the correctness of the story:—"The theatre at Cheltenham was under the management of its proprietor, the eccentric Watson, who was a fellow of infinite jest and humour, full of Thespian anecdotes, and perfectly master of the art of driving away loathed melancholy. Many a hearty laugh have I had with him: he was an Irishman, and had, although I say it who should not say it, all the natural wit of his country about him. He was of a very respectable family (quakers) in Clonmell. In John Kemble's younger days, he was a near ally of his, and both belonged to a strolling company. They lived, or rather, by Watson's account, *starred* together; at one time, in Gloucestershire, they were left penny-less; and after continued vicissitudes, Watson assured me, such was their distress, that at that time they were glad to get into a turnip-field and make a meal of its produce uncooked; and, he added, it was while regaling on the raw vegetable, that they hit upon a scheme to recruit their finances; and a lucky turn-up it turned out. It was neither more nor less than that John Kemble should turn methodist preacher, and Watson perform the part of clerk. Their scheme was organized, and Tewkesbury was their first scene of action; they drew together, in a field, a numerous congregation: and Kemble preached with such piety, and so much effect, that a large collection rewarded his labours. This anecdote Kemble himself told me was perfectly true."—*Kelly's Reminiscences*.

of the Mythe; and the other by the Right Hon. Lord Tracy. Prior to 1825, there had been no races for twelve years; since that time they have regularly taken place, excepting in 1829, when, from the race-course being so frequently flooded during the autumn, the amusement was necessarily abandoned.

There is a convenient and delightful bowling-green, nearly opposite the church, which affords to the subscribers an agreeable summer evening's retreat.

At the Upper-Lode, about half a mile from the town, on the banks of the Severn, there is a spacious coit-yard;* it is shaded with large elms, and no spot could be better chosen for the fine exercise which that game affords. For almost thirty years, prior to 1828, it was perhaps more respectably attended than any other coit-yard in the kingdom.

It is said, by Leland, that there was, at Tewkesbury, "a great stable of the kinges, a late occupied for great horses." All vestiges of it are now lost.

Several noble personages have derived their titles from this town: there was a William, Earl of Tewkesbury, as early as the reign of King Henry the first: Sir Henry Capel, eldest brother to the first Earl of Essex, was created Baron of Tew-

* Throwing the *discus*, or coit, was one of the gymnastic exercises of the Greeks. The shape of the *discus* was nearly oval, about a foot in length, and three or four inches thick in the centre, whence it tapered on each side to the extremity, in the manner of a lens, and a hole was perforated in the middle. Statues of persons employed at this game exhibit the *discus* rested on the four fingers, which were closed, with their ends pointing upwards on the inside of it, and the thumb extended horizontally along the outside. The thrower obtained the necessary impulse by swinging the arm; and, at the proper moment, he gave the *discus* a rotary motion, and sent it through the air to the mark. (*Pope's Homer's Iliad.*) Coiting is also a very ancient exercise among the people of this country, but it is doubtful whether the most experienced player could rival the inferior *discobuli* of ancient times. Sir Thomas More, in his *Utopia*, ranks "coyts" amongst "naughty, lewd and unlawful games;" and Lemnius, a foreign physician, whose account of England was translated by Newton, in 1576, under the title of "The Touchstone of Complexions," says, that the principal amusements of the stronger English were "wrestling, coytinge, tennis, bowlinge, whorle-battinge, lifting great waights, pitching the barre, ryding, running, leapinge, shooting in gunnes, swymming, tossing the pike, tyltinge barryers, and tourney."

kesbury, by King William the third; and George Augustus, Electoral Prince of Hanover, afterwards King George the first, was created Baron of Tewkesbury, by Queen Anne, in 1706.

The town was first incorporated in 1574,* in the seventeenth year of the reign of Queen Elizabeth, by the name of the "bailiffs, burgesses and commonalty" of the borough of Tewkesbury.† A writ soon afterwards passed the great seal, for exonerating the corporation from various sums which had been imposed upon them by the queen's clerk of the market, on plea of her majesty's letters patent.‡

The previous incorporation was confirmed, and a new charter granted, by King James the first, in the third year of his reign.§

The same monarch, in 1609, in the seventh year of his reign, when he sold the manor of Tewkesbury to the corpo-

* For some centuries prior to this period, the inhabitants of Tewkesbury had been styled "bailiffs, burgesses and commonalty:" their privileges however were more limited, and of a somewhat different character. From very early times, the great lords of Tewkesbury, or their stewards, annually appointed "bailiffs," &c. at their courts-leet. "Burgesses" were of two descriptions—those who held property under the lord at a certain yearly rent, and such as held office under the bailiffs; but what was then understood by "commonalty," it would be difficult to define. Dr. Brady, in his Treatise on Boroughs, contends that the term commonalty (*communitas*) generally means the governing part of a town, though it has by some other writers been said to mean the inhabitants collectively. In the Tewkesbury charters, in no instance can the term be construed to mean the inhabitants generally; and whatever might have been the sense in which it was used in the earliest charters, it is clear that, in the later ones, it could only comprise such persons as are now denominated freemen.—"From the first, the bailiffs of Tewkesbury had the return and execution of the king's writs."—*Brev. Reg. 5 Edw. III. No. 3.*

† See Appendix, No. 25.

‡ A copy of this writ is among the records in the exchequer office, indorsed "De Ballivis, Burgensibus et Communitate Burgi de Tewkesbury, in Comitatu Gloucestriæ, exonerandis de diversis Summis impositis per Clericum Mercati, prætextu Literarum Reginæ Patentium. Michaelis Recorda, 21 Eliz. Rot. 132."

§ See Appendix, No. 26.

ration,* granted them another new charter, which extended their privileges very considerably.†

During the early part of the civil wars, in the reign of Charles the first, the charter was lost, and was supposed to have been purloined and destroyed by some individuals of an influential party who at that period were inimical to all rule and government. The bailiffs and common council petitioned Oliver Cromwell, in 1657, for an authenticated transcript of it; and they also endeavoured to procure a renewal of their charter during the protectorate of Richard Cromwell;‡ but both applications were unavailing. They subsequently, in

* The purchase money for the manor, &c. being £.2453. 7s. 4½d. and the expenses of obtaining the charter £.438. 6s. 0½d. the total cost amounted to £.2891. 13s. 5d. Towards the purchase, the inhabitants of the borough paid to the crown £.426. 13s. 8d. and the remaining £.2026. 13s. 8d. was advanced by Mr. Wm. Ferrers. The corporation afterwards disposed of a portion of their property, which produced £.335; this sum was appropriated towards the liquidation of their debt, and in 1610, in order to secure the re-payment of Mr. Ferrers's loan, the following eighteen persons entered into bonds of £.100 each: John Barston, Geo. Morrey, sen. Wm. Johnsons, Conon Richardson, John Vicaridge, John Cooke, Wm. Hitche, John Tomes, John Scullove, John Slaughter, Thomas Deakins, John Underhill, Geo. Morrey, jun. John Hill, Thomas Jelf, John Higgins, Wm. Rayer and Thomas Bicke. In 1610, with the view of raising money to lessen the incumbrance, the common council ordered, that those who had a right of pasturage in the Severn Ham should pay four-pence a week for every beast depastured there, and four-pence a day for every beast above the number of three. In 1611, in consequence of the non-payment of the expenses incurred in procuring the charter, a pursuivant was sent down by his majesty's government; a general taxation was immediately imposed upon the town, and the sum of £.1168 was by this means collected. In the following year, Mr. Ferrers sued the eighteen individuals who had given him bonds, and "money was paid thereon from time to time;" and in 1614, the corporation assigned to him, in discharge of the residue of his claim, the ninety-four acres of land in the Severn Ham which they had purchased along with the manor, &c. of the king. The yearly value to the crown of the lands, &c. sold with the manor to the corporation, was estimated at £.50. 1s. 4d. and the rate of calculation of value was forty-nine years' purchase.

† See Appendix, No. 27.

‡ The *Mercurius Politicus*, a parliamentary newspaper, of Oct. 14th, 1658, says, "this week the council ordered a renewing the charter of Teuxbury, and that it should be presented as their advice to his highness."

1669, petitioned King Charles the second for an attested copy of the old charter; and, being unsuccessful, the common council resolved to apply for a new one. At length, through the indefatigable exertions of Richard Dowdeswell, esq. an exemplification of the charter, which had been granted in the seventh year of King James the first, was obtained; it passed the great seal in 1672, though not without a considerable expense to the inhabitants of the town.

In 1684, Charles the second directed the lord lieutenant of the county of Gloucester to advise the body corporate to surrender their charter, threatening them with a *quo warranto* if they refused.* No surrender however took place during his

* In advising this surrender, the king was actuated by a desire to exact large fees upon granting a new charter, and by a wish to abridge the liberties of his Tewkesbury subjects. The following particulars, respecting the surrender, are extracted from the corporation records: the Duke of Beaufort, the lord lieutenant of the county, having informed the bailiffs that he had directions from his majesty to advise the corporation to surrender their charter, and that a *quo warranto* would be brought against them if they refused, a letter, dated May 30, 1684, was written to his grace, setting forth, that several trusts for the poor and other charitable uses, and divers houses and other profits, to the value of £.200 per annum, by purchase, depended upon their incorporation: that they were a very ancient borough, having charters for confirmation and enlargement of their liberties from almost all his majesty's predecessors since King Edward the first, and many of them upon valuable considerations: that their last charter, 7 James I. was given in consideration of a purchase made from the crown, for which they paid £.2453. 7s. 4½d. which charter his majesty confirmed in the twenty-fifth year of his reign, 1672: that, about four years since, several of his majesty's deputy lieutenants had inspected their records, and declared themselves satisfied that they had duly observed the act for regulating of corporations: and that they were not conscious of any failure in duty to his majesty or the government.—It was also directed, that a deputation from the common council should wait upon the Duke of Beaufort, with the said letter, and be empowered to propose to his grace, that his majesty should hereafter approve of the bailiffs and all other public officers to be chosen into the said corporation; and that if any of the present members of the common council should be thought disaffected, they would resign, and such others should be elected in their stead as his majesty might direct.—In July following, the common council ordered, that an assignment should be made of all the manors, messuages, lands, tenements, tolls, profits and hereditaments, and of all monies and other goods and chattels of or belonging to the corporation, unto Bridges Nanfan, of Birtsmorton, Richard

reign; but on the 24th of March, 1685, the Tewkesbury charter, like that of many other corporations, was surrendered, under the common seal of the body, to King James the second; who, in the following year, re-incorporated the town, by styling the municipal body "the mayor, aldermen and common council," and the borough had a mayor for its chief magistrate from 1686 to 1692.* There was no corporation or local government in Tewkesbury, from 1692 until 1698, when King William the third, in the tenth year of his reign, at the earnest intercession of the burgesses and principal inhabitants, granted the present charter.†

Tewkesbury has been a borough from time immemorial,‡ and is consequently a borough by prescription, as well as by

Lygon, of Maddresfield, and Charles Hancock, of Twynning, esquires, in such manner as Mr. Dobbins, the barrister, and Mr. Powell, of Gloucester, should advise.—In August, it was agreed, that the Earl of Worcester and Lord Coventry, with the three gentlemen above-named, should be trustees for the corporation; and that when the conveyance to them was executed, a surrender should be made unto his majesty of the charter and letters patent granted in the seventh year of the reign of King James the first.—In September it was resolved, that the surrender, after having the common seal affixed to it by the chamberlain, should be immediately made to his majesty; and that a petition should be forthwith made for a new charter. This surrender was dated 28th Oct. 1684, in the thirty-second year of Charles the second, but was never presented, on account of the illness and death of his majesty.—In Feb. 1684-5, at the same time that the common council presented an address of congratulation to King James the second, on his coming to the throne, they petitioned that his majesty would not insist upon the surrender of their charter, as they had no money to defray the expenses of a new one.—This petition was unavailing, and, in March following, the common council ordered that the surrender should be forthwith made to the new monarch, and that a petition should be presented for a new charter, in the same form as that prepared for the late king, which was accordingly done.

* See Appendix, No. 28.

† See Appendix, No. 29.

‡ It would be difficult to ascertain precisely the origin of boroughs. We find them mentioned in the laws of Ina, king of the West Saxons, a fact which gives them an antiquity of more than eleven hundred years. Among the municipal constitutions of that monarch, for the government of his people, is an ordinance to the following effect:—"whoever shall be guilty of a violation of the peace in a burgh, under the protection of the king or a bishop, shall pay one hundred and twenty shillings; and if it be an alder-

grant ; and few corporate towns can boast of a charter which affords such extensive privileges.* The borough is co-extensive with the parish, and the local jurisdiction extends over the whole, which is about fifteen miles in circumference.

If the “bailiffs, burgesses and commonalty” have not lost, through disuse, some of their “ancient liberties, franchises, privileges and pre-eminences,” it is evident, from the charter

man's burgh, the fine shall be eighty shillings.” A similar law occurs also in the code of King Alfred. The principal towns of the Saxons, during the latter period of their sway in Britain, were distinguished by the name of burghs, the inhabitants of which enjoyed particular privileges, immunities and laws, as an encouragement to trade and commerce. In these burghs, markets were established, and imports and exports of merchandize took place, under the cognizance of the *prepositus burghi*, or bailiff of the borough, who was appointed by the prince or lord of the fee to collect the tolls, duties and impositions arising from the trade of the place. The Saxon burgesses appear to have enjoyed the few rights and liberties they possessed, not in consequence of any particular grants or charters, made to them by the king or their lords, as a body corporate, but merely from the circumstance of their inhabiting those houses which constituted the borough. Their condition indeed seems to have been, for the most part, nothing better than a certain qualified slavery ; and in this state it is probable the boroughs continued until a period subsequent to the conquest. The Anglo-Norman monarchs, finding that commerce was cramped by the restrictions under which the inhabitants of the cities and towns laboured, by degrees relaxed their servile ties, and not only granted a greater degree of personal liberty, but in lieu of the numerous duties which had been exacted in Saxon times, received only a fixed *redditus*, called a fee farm rent, proportioned in some measure to the amount of the original impositions. About the same time in which this change in the condition of the burgesses took place, chartered corporations had their origin. The former might indeed have been the necessary consequence of the latter ; for when the state had determined to extend the liberties of the ancient Saxon boroughs, the first step would naturally be to reduce the former uncertain and arbitrary customs with which they were burthened, and require only a fixed and more equitable rent. The origin of corporations is thus deduced in Maddox's MS. Collections: “The king committed a town to the townsmen themselves, at *ferm*, during his pleasure, instead of committing it to the hands of a provost or *fermer* ; they then obtained it in fee *ferm*, i. e. in perpetual *ferm*, and afterwards prevailed on the king to grant their *ferm* to them. They, lastly, prevailed on him to make them a *corpus incorporatum*, and soon forgot those towns had ever been holden in *demesne* by the king.”

* For the important privileges afforded by the present charter, the town was chiefly indebted to the exertions of Richard Dowdeswell, esq. Sir Francis Winnington, knt. and Robert Tracy, esq.

of King William, as well as from some of the preceding ones; that they have at present not only jurisdiction throughout the entire parish, but that the "free borough corporate" extends also over "the whole hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester." The corporation records state, that, in Sept. 1700, an action of trespass at Bourton-on-the-Hill was tried in the Tewkesbury Borough Court of Record; that judgment was given, and an execution issued and executed by the bailiff of the hundred. Similar actions, from other remote parts of the hundred,* have also been tried in the same court; there appears however to be no instance of the corporation having exercised this right recently.

The corporation consists of twenty-four principal burgesses, who are styled common-councilmen;† from this body are chosen a high-steward,‡ recorder, town-clerk (who is also clerk of the peace and clerk of the recognizances), a coroner

* Tewkesbury Hundred comprises:—*Upper Part*: Ashton-under-Hill, Alderton, Bourton-on-the-Hill, Clifford Chambers, Dixton, Didcot, Lemington, Prescot, Stanway, Shennington, and Washbourn.—*Lower Part*: Aston-upon-Carron, Bodington and Barrow, Fiddington and Natton, Forthampton, Kemerton, Mythe and Mythe Hook, Northway and Newton, Oxenton, Pamington, Southwick and Park, Stoke Orchard, Tewkesbury, Tredington and Walton Cardiff.

† The following is a list of the present members of the corporation, arranged according to the dates of their election:

1771. William Cliffe, esq.	1811. Benjamin Holland, esq.
1797. Rev. Wm. Geo. Maxwell.	1811. James Gorle, esq.
1798. John Edmund Dowdeswell, esq. M. P. recorder.	1812. Charles Edward Chandler, esq.
1800. John Pitt Nind, esq.	1814. Joseph Boughton, esq.
1804. Thomas Vernon, esq. chamberlain.	1817. Edmund Warden Jones, esq. town-clerk and coroner.
1805. Sir Anthony Lechmere, bart.	1817. Edward Brydges, esq.
1806. Joseph Wickes, esq.	1819. Rev. Charles White.
1807. Michael Procter, esq.	1820. Joseph Longmore, esq.
1810. Rt. Hon. George William, Earl of Coventry, high steward.	1821. Robert Young, esq.
1810. Henry William Harris, esq. deputy recorder.	1825. Lewis Goodin Senior, esq.
1811. Rev. William Prosser.	1828. Thomas Taylor, esq.
	1829. William Dowdeswell, esq.
	1829. George Edmunds Williams, esq.

‡ See Appendix, No. 30.

and chamberlain. From among the principal burgesses are also elected annually, on the second Thursday in October, two bailiffs,* and four justices of the peace, who, with the recorder, form the magistracy of the borough.

The corporation, at one time, comprised twenty-four assistants, in addition to the twenty-four principal burgesses; this supernumerary body was found to be entirely useless, and therefore, for many years past, the principal burgesses themselves have been sworn into the office of assistants, previously to their being admitted common-councilmen.

Tewkesbury, amongst other privileges belonging to its corporate capacity, has the most valuable and important one of holding certain courts of a civil and criminal nature. It is not indeed styled the *county* of the town of Tewkesbury; though in almost every practical and substantial respect it is a county within itself. Its inhabitants are exempt from the inconvenient task of service on the county juries; and now that the term of the assizes is so much lengthened, this may truly be considered a most beneficial exemption. It is also exempt from payment of county rates, and collects and expends its own borough stock. The *ne intromittat* clauses in the charter are strong and unequivocal, not only as against the sheriff of the county, but also the justices of the county. The sheriff, in the execution of his process within the borough, must issue his precept to the bailiffs, who thereupon authorise their serjeants-at-mace to execute the process. ♦

Its civil jurisdiction, in the institution of a court of record, for the recovery of debts not exceeding fifty pounds, is productive of extensive advantages. In the transactions between persons to whom such a court is chiefly of importance, namely, the tradesmen of the town, their debts are generally under the sum limited: and the expense of prosecuting a suit in this court may be taken on an average as not exceeding four or five pounds.†

* For a list of the bailiffs, &c. see Appendix, No. 31.

† For some account of the Court of Record, see Appendix, No. 32.

The recorder, or his deputy, in concert with the bailiffs and justices, holds a general quarter sessions of the peace. The power of inflicting punishment extends to transportation; but in very serious cases, the magistrates commit to the assizes instead of the borough sessions.*

Its constablewick consists of a high constable, six other constables, two serjeants-at-mace, two beadles, and the gaoler, to whose office that of constable is generally added.

The corporation regularly hold courts-leet, at which the inhabitants of all the parishes in the hundred of Tewkesbury perform suit and service. The body corporate have also the power of admitting such persons as they deem proper to be burgesses, or honorary freemen; and of perambulating the boundaries of the parish, &c. whenever they judge it necessary. A perambulation generally takes place once in seven years; the last was on May 20, 1829.

The bailiffs of the borough are clerks of the market, and annually appoint a suitable number of persons as assistant clerks. There are two weekly markets: one on Wednesdays, for corn, cattle, pigs, sheep, butchers' meat, poultry, butter, vegetables, &c.; and one on Saturdays, for provisions of every description.

* There have been few instances of atrocious crimes, committed within the borough, except the two following, which were attended with some singular coincidences. On Aug. 4, 1791, William Birt, a carpenter, murdered Sarah Powell, a poor girl, whom he had seduced, by administering poison to her while she was pregnant. He was removed by *habeas corpus* from Tewkesbury to Gloucester, was found guilty at the ensuing assizes, and hung himself in the condemned cell on the following night. The corpse was sent by order of the coroner, to the parish officers at Tewkesbury, and buried in the cross-road at the entrance into the lane which leads to the Lodge, near the house of industry.—On Feb. 15, 1800, John Young, a carpenter, of Longdon, in returning home from Tewkesbury market, murdered his wife, in the Ham, by throwing her into the Severn, where her body was found, with her hands tied by her side, and a sack drawn over her head, on the 29th of March. The murderer was sent to Gloucester gaol, and on the 1st of August, the morning which had been fixed upon for his trial, he was found suspended by a handkerchief to the window of his cell, quite dead. His body was sent to Tewkesbury, by the coroner's directions, and buried in the cross-way at the bottom of Pagett's lane, near the river, at the Mythe.

There are five* annual fairs in Tewkesbury,† viz. on the second Monday in March,—second Wednesday in April,—May 14th,—first Wednesday after the 4th of September, for cheese, wool, &c. as well as for live stock,—and October 10th.—There are likewise statute fairs, provincially termed *mops*, for hiring servants, on the Wednesday before and the Wednesday after October 10th.—Besides which, there are great markets, on the second Wednesdays in the months of June, August and December.

The income of the corporation is at present little more than sufficient to enable them to remunerate the serjeants-at-mace and their other officers: they are even obliged individually to bear the expenses of their annual civic feast. Their chief income is now derivable from a toll upon horses, cattle, sheep and pigs, sold in the fairs and markets. When the lease of the market-house, and the leases of the twelve houses in Gloucester-Place, shall have expired, the former in 1888 and the latter in 1905, their income will again be considerable.

* There were recently seven annual fairs, but in consequence of some of them frequently interfering with other fairs and great markets in the neighbourhood, it was agreed, at a public meeting, in 1827, to discontinue the fair heretofore held on the 22d of June, at which little business had been for many years transacted, and also that on the first Wednesday in December old style; and to have, in lieu of them, great markets in those months, and also a great market in August.—See Appendix, No. 33.

† Hugh le Despenser the younger had a grant of a fair in Tewkesbury, 17 Edw. II. which is supposed to have been the origin of that now held in April.—20 Hen. VI. A grant to the Earl of Warwick to hold two fairs in Tewkesbury yearly, to continue eight days each, viz. on the eve and day of St. Matthias and six days after, and also on the eve and day of St. Bartholomew and six days after: these are the present March and September fairs.—17 Eliz. A grant of two markets, viz. Wednesdays and Saturdays; and upon Wednesdays to sell cattle, wool, yarn, hemp and flax; and also a fair and court of *pie poudre* on St. Mark's day.—3 Jas. I. The fair granted by Elizabeth was repealed, and a grant of a fair, instead of it, was to be held on the 3d of May, called Holyrood day: the same fair which is now held in May.—7 James I. A grant of two new fairs, viz. on St. Barnabas' day and St. Michael the Archangel's day: one of them is the same as the present October fair, and the other was that which was until lately held in June. The origin of the fair, which was formerly held in December, is not known.

The corporation formerly claimed a toll on all grain which was sold in the market, and this produced a yearly income of little less than £.200. In attempting to enforce their claims to this antiquated impost, all their convertible property has been alienated. That they had a legal right to toll, by virtue of their successive charters, was unquestionable; and that they had uninterruptedly enjoyed that right for many ages, was never attempted to be denied. At the time that their charters were obtained, corn was invariably brought in bulk, and pitched in the market, and what was unsold on one market-day, remained there until the next; it was therefore only reasonable, that the corporation, who were expected to find ~~warehouses~~ for such corn, should be entitled to remuneration. Corn has lately been sold by sample; and the farmers and ~~corn-dealers~~ contended that it was not equitable that the ~~corporation~~ when no accommodation was required of them, should continue to demand the same toll as they formerly received.

The claim to toll appears to have been first openly resisted in the year 1757: on that occasion, the corporation filed a bill in chancery against Mr. John Kambury, Mr. John Jenkins, and others, for an account of the corn toll which had been by them unjustly withheld; and although the defendants severally put in answers, they submitted and made compensation before the suit came to a hearing.

Another serious infraction of the corporate claims took place in 1805; and the corporation resolved to enforce their demand, which they stated to be "one peck for every forty-eight bushels of wheat, beans, barley, oats, rye and pulse." A tedious and expensive law-suit ensued, which was determined, in the year 1809, by a decision completely in favour of the corporation.

The tolls were afterwards continued to be taken, until June, 1812; the claim was then again resisted, and the corporation for a time ceased to demand tolls, in consequence of a decision which had been recently given against the corporation of Worcester, in the same court and by the same judge who,

in 1809, pronounced judgment in favour of the Tewkesbury corporation.*

In Oct. 1813, the body corporate publicly announced their determination to re-assert their ancient right to toll; and at a chamber meeting, they resolved rather to surrender their charter altogether, than yield up so essential a prerogative. The corn-dealers and farmers, at a public meeting, immediately entered into a subscription, for defraying any expenses which might arise in consequence of proceedings being commenced against them by the corporation. The latter then gave notice to the committee, appointed to watch over the interests of the farmers, that they would forthwith institute proceedings "for recovery of all toll withheld from them." The want of pecuniary means perhaps prevented this threat being carried into execution, and since that period, corn toll has never been attempted to be collected in Tewkesbury.

The justices of the peace for the counties of Gloucester and Worcester hold a petty sessions at the office of Mr. T. P. White, in Tewkesbury, every other Wednesday; and to the "unpaid magistracy" of this district—the Rev. John Timbrill, D. D. archdeacon of Gloucester and vicar of Beckford; the Rev. John Keysall, domestic chaplain to his majesty and rector of Bredon; and the Rev. Charles White, vicar of Tewkesbury—the inhabitants of the neighbourhood are highly indebted, for the great zeal and inflexible integrity with which they regularly fulfil the arduous duties of the magisterial office.

* Lord Chief Justice Mansfield, in 1809, pronounced the judgment of the Court of Common Pleas, in the action "The Bailiffs, Burgesses, and Commonalty of the Borough of Tewkesbury, v. Bricknell," to be, "That the selling by sample is a fraud upon the market, and that the corporation are entitled to toll in respect of the corn so sold, in the same manner as though it was brought to and pitched in the market, and there sold in bulk." In the Worcester Toll Cause, in 1812, he decided "That the lord or superior of an open or public market was not entitled to toll, or duty, on any commodities not brought in bulk into the market, and there disposed of in open market."

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CHAPTER XVI.

PUBLIC BUILDINGS, SCHOOLS, AND CHARITABLE INSTITUTIONS.

TOWN-HALL.—The Town-Hall, or Tolzey, was erected in the year 1788, at an expense of upwards of £.1200, and given by Sir William Codrington, bart. to the corporation of the borough. On the ground floor is a large paved area, separated from a court by four circular pillars, which chiefly support the front of the structure; behind this is the hall, in which the quarter sessions are held; and adjoining it is the town-clerk's office. A spacious stone staircase leads to a handsome banquetting or ball-room, which is neatly fitted up, and ornamented with an admirable portrait of the founder, painted by Sir William Beechey. On the same floor is a large drawing-room, used as a council-chamber by the corporation, and as a place of meeting by the commissioners of the streets and other public bodies. The grand jury also assemble in this room; the use of which is freely granted by the bailiffs to the inhabitants of the borough on every necessary occasion.

The accompanying wood engraving represents the structure in its original state; a small cupola was placed on the top of it, a few years since, for the purpose of introducing a bell.

The court, between the street and the building, was intended for holding the corn-market; and the open space, on the ground floor, for pitching the corn which might be brought for sale; the farmers and dealers, however, prefer assembling in the public streets, on market days, and there the corn trade is principally transacted.

The old Tolzey stood in the centre of the town, at the junction of the three principal streets, and greatly obstructed



the carriage-way from the High-street to the other parts of the borough. The removal of this building, which had nothing in its history or appearance to atone for the inconveniences which it created, and the consequent destruction of some decayed dwelling-houses which were attached to it, improved the town in a greater degree than can be easily imagined.

THE GAOL.—The new Borough Gaol, which is situate at the upper end of the High-street, was built in 1816, at an expense of £.3419. 11s. 7½*d.* The whole of this sum, with the exception of £.175, which was paid by the national school committee for the materials of the old gaol and the ground on which the school is built, was collected by parish rates, between the years 1814 and 1818. Shortly after the prison was occupied, two boys, who were detained in it on a charge of burglary, made their escape; and as it was found that the building was neither adequate to the safe custody of the prisoners, nor commodious enough to admit of their proper classification, a great expense was subsequently incurred in its improvement and enlargement. The annual cost of maintaining this establishment, including salaries, &c. is on an average little more than £.100, which is raised by a rate upon the inhabitants.

HOUSE OF INDUSTRY.—This building stands on an elevated spot, near the entrance into the town from Gloucester and Cheltenham, and is better adapted for the purposes for which it was intended than similar structures generally are. Time however has proved, that buildings which were designed for “houses of industry,” are too frequently receptacles for the idle and the profligate: such places indeed are only fit for orphan or deserted children, and for the aged and infirm. It is much better to relieve the industrious poor at their own houses, when sickness or poverty assails them, than to compel them to take up their abode in parish work-houses.*

* Before the Reformation there were no poor's-rates; the charitable doles given at religious houses, and church ales in every parish, were sufficient. In every parish there was a church-house, to which belonged spits, pots, crocks, &c. for dressing provisions. Here the housekeepers met and were merry, and gave their charity. The young people came there too, and had dancing, bowling, shooting at butts, &c.—*Antiq. Rep.*

of the Mythe; and the other by the Right Hon. Lord Tracy. Prior to 1825, there had been no races for twelve years; since that time they have regularly taken place, excepting in 1829, when, from the race-course being so frequently flooded during the autumn, the amusement was necessarily abandoned.

There is a convenient and delightful bowling-green, nearly opposite the church, which affords to the subscribers an agreeable summer evening's retreat.

At the Upper-Lode, about half a mile from the town, on the banks of the Severn, there is a spacious coit-yard;* it is shaded with large elms, and no spot could be better chosen for the fine exercise which that game affords. For almost thirty years, prior to 1828, it was perhaps more respectably attended than any other coit-yard in the kingdom.

It is said, by Leland, that there was, at Tewkesbury, "a great stable of the kinges, a late occupied for great horses." All vestiges of it are now lost.

Several noble personages have derived their titles from this town: there was a William, Earl of Tewkesbury, as early as the reign of King Henry the first: Sir Henry Capel, eldest brother to the first Earl of Essex, was created Baron of Tew-

* Throwing the *discus*, or coit, was one of the gymnastic exercises of the Grecks. The shape of the *discus* was nearly oval, about a foot in length, and three or four inches thick in the centre, whence it tapered on each side to the extremity, in the manner of a lens, and a hole was perforated in the middle. Statues of persons employed at this game exhibit the *discus* rested on the four fingers, which were closed, with their ends pointing upwards on the inside of it, and the thumb extended horizontally along the outside. The thrower obtained the necessary impulse by swinging the arm; and, at the proper moment, he gave the *discus* a rotary motion, and sent it through the air to the mark. (*Pope's Homer's Iliad.*) Coiting is also a very ancient exercise among the people of this country, but it is doubtful whether the most experienced player could rival the inferior *discobuli* of ancient times. Sir Thomas More, in his *Utopia*, ranks "coyts" amongst "naughty, lewd and unlawful games;" and Lemnius, a foreign physician, whose account of England was translated by Newton, in 1576, under the title of "The Touchstone of Complexions," says, that the principal amusements of the stronger English were "wrestling, coytiage, tennis, bowlinge, whorle-battinge, lifting great waights, pitching the barre, ryding, running, leapinge, shooting in gunnes, swymming, tossing the pike, tyltinge barryers, and tourney."

kesbury, by King William the third; and George Augustus, Electoral Prince of Hanover, afterwards King George the first, was created Baron of Tewkesbury, by Queen Anne, in 1706.

The town was first incorporated in 1574,* in the seventeenth year of the reign of Queen Elizabeth, by the name of the "bailiffs, burgesses and commonalty" of the borough of Tewkesbury.† A writ soon afterwards passed the great seal, for exonerating the corporation from various sums which had been imposed upon them by the queen's clerk of the market, on plea of her majesty's letters patent.‡

The previous incorporation was confirmed, and a new charter granted, by King James the first, in the third year of his reign.§

The same monarch, in 1609, in the seventh year of his reign, when he sold the manor of Tewkesbury to the corpo-

* For some centuries prior to this period, the inhabitants of Tewkesbury had been styled "bailiffs, burgesses and commonalty:" their privileges however were more limited, and of a somewhat different character. From very early times, the great lords of Tewkesbury, or their stewards, annually appointed "bailiffs," &c. at their courts-leet. "Burgesses" were of two descriptions—those who held property under the lord at a certain yearly rent, and such as held office under the bailiffs; but what was then understood by "commonalty," it would be difficult to define. Dr. Brady, in his Treatise on Boroughs, contends that the term commonalty (*communitas*) generally means the governing part of a town, though it has by some other writers been said to mean the inhabitants collectively. In the Tewkesbury charters, in no instance can the term be construed to mean the inhabitants generally; and whatever might have been the sense in which it was used in the earliest charters, it is clear that, in the later ones, it could only comprise such persons as are now denominated freemen.—"From the first, the bailiffs of Tewkesbury had the return and execution of the king's writs."—*Brev. Reg. 5 Edw. III. No. 3.*

† See Appendix, No. 25.

‡ A copy of this writ is among the records in the exchequer office, indorsed "De Ballivis, Burgensibus et Communitate Burgi de Tewkesbury, in Comitatu Gloucestrizæ, exonerandis de diversis Summis impositis per Clericum Mercati, prætextu Literarum Regina Patentium. Michaelis Recordæ, 21 Eliz. Rot. 132."

§ See Appendix, No. 26.

ration,* granted them another new charter, which extended their privileges very considerably.†

During the early part of the civil wars, in the reign of Charles the first, the charter was lost, and was supposed to have been purloined and destroyed by some individuals of an influential party who at that period were inimical to all rule and government. The bailiffs and common council petitioned Oliver Cromwell, in 1657, for an authenticated transcript of it; and they also endeavoured to procure a renewal of their charter during the protectorate of Richard Cromwell;‡ but both applications were unavailing. They subsequently, in

* The purchase money for the manor, &c. being £.2453. 7s. 4½d. and the expenses of obtaining the charter £.438. 6s. 0½d. the total cost amounted to £.2891. 13s. 5d. Towards the purchase, the inhabitants of the borough paid to the crown £.426. 13s. 8d. and the remaining £.2026. 13s. 8d. was advanced by Mr. Wm. Ferrers. The corporation afterwards disposed of a portion of their property, which produced £.335; this sum was appropriated towards the liquidation of their debt, and in 1610, in order to secure the re-payment of Mr. Ferrers's loan, the following eighteen persons entered into bonds of £.100 each: John Barston, Geo. Morrey, sen. Wm. Johnsons, Conon Richardson, John Vicaridge, John Cooke, Wm. Hitche, John Tomes, John Scullove, John Slaughter, Thomas Deakins, John Underhill, Geo. Morrey, jun. John Hill, Thomas Jelf, John Higgins, Wm. Rayer and Thomas Bicke. In 1610, with the view of raising money to lessen the incumbrance, the common council ordered, that those who had a right of pasturage in the Severn Ham should pay four-pence a week for every beast depastured there, and four-pence a day for every beast above the number of three. In 1611, in consequence of the non-payment of the expenses incurred in procuring the charter, a pursuivant was sent down by his majesty's government; a general taxation was immediately imposed upon the town, and the sum of £.1168 was by this means collected. In the following year, Mr. Ferrers sued the eighteen individuals who had given him bonds, and "money was paid thereon from time to time;" and in 1614, the corporation assigned to him, in discharge of the residue of his claim, the ninety-four acres of land in the Severn Ham which they had purchased along with the manor, &c. of the king. The yearly value to the crown of the lands, &c. sold with the manor to the corporation, was estimated at £.50. 1s. 4d. and the rate of calculation of value was forty-nine years' purchase.

† See Appendix, No. 27.

‡ The Mercurius Politicus, a parliamentary newspaper, of Oct. 14th, 1658, says, "this week the council ordered a renewing the charter of Teuxbury, and that it should be presented as their advice to his highness."

1669, petitioned King Charles the second for an attested copy of the old charter; and, being unsuccessful, the common council resolved to apply for a new one. At length, through the indefatigable exertions of Richard Dowdeswell, esq. an exemplification of the charter, which had been granted in the seventh year of King James the first, was obtained; it passed the great seal in 1672, though not without a considerable expense to the inhabitants of the town.

In 1684, Charles the second directed the lord lieutenant of the county of Gloucester to advise the body corporate to surrender their charter, threatening them with a *quo warranto* if they refused.* No surrender however took place during his

* In advising this surrender, the king was actuated by a desire to exact large fees upon granting a new charter, and by a wish to abridge the liberties of his Tewkesbury subjects. The following particulars, respecting the surrender, are extracted from the corporation records: the Duke of Beaufort, the lord lieutenant of the county, having informed the bailiffs that he had directions from his majesty to advise the corporation to surrender their charter, and that a *quo warranto* would be brought against them if they refused, a letter, dated May 30, 1684, was written to his grace, setting forth, that several trusts for the poor and other charitable uses, and divers houses and other profits, to the value of £.200 per annum, by purchase, depended upon their incorporation: that they were a very ancient borough, having charters for confirmation and enlargement of their liberties from almost all his majesty's predecessors since King Edward the first, and many of them upon valuable considerations: that their last charter, 7 James I. was given in consideration of a purchase made from the crown, for which they paid £.2453. 7s. 4½d. which charter his majesty confirmed in the twenty-fifth year of his reign, 1672: that, about four years since, several of his majesty's deputy lieutenants had inspected their records, and declared themselves satisfied that they had duly observed the act for regulating of corporations: and that they were not conscious of any failure in duty to his majesty or the government.—It was also directed, that a deputation from the common council should wait upon the Duke of Beaufort, with the said letter, and be empowered to propose to his grace, that his majesty should hereafter approve of the bailiffs and all other public officers to be chosen into the said corporation; and that if any of the present members of the common council should be thought disaffected, they would resign, and such others should be elected in their stead as his majesty might direct.—In July following, the common council ordered, that an assignment should be made of all the manors, messuages, lands, tenements, tolls, profits and hereditaments, and of all monies and other goods and chattels of or belonging to the corporation, unto Bridges Nanfan, of Birtsmorton, Richard

reign; but on the 24th of March, 1685, the Tewkesbury charter, like that of many other corporations, was surrendered, under the common seal of the body, to King James the second; who, in the following year, re-incorporated the town, by styling the municipal body "the mayor, aldermen and common council," and the borough had a mayor for its chief magistrate from 1686 to 1692.* There was no corporation or local government in Tewkesbury, from 1692 until 1698, when King William the third, in the tenth year of his reign, at the earnest intercession of the burgesses and principal inhabitants, granted the present charter.†

Tewkesbury has been a borough from time immemorial,‡ and is consequently a borough by prescription, as well as by

Lygon, of Maddresfield, and Charles Hancock, of Twynning, esquires, in such manner as Mr. Dobbins, the barrister, and Mr. Powell, of Gloucester, should advise.—In August, it was agreed, that the Earl of Worcester and Lord Coventry, with the three gentlemen above-named, should be trustees for the corporation; and that when the conveyance to them was executed, a surrender should be made unto his majesty of the charter and letters patent granted in the seventh year of the reign of King James the first.—In September it was resolved, that the surrender, after having the common seal affixed to it by the chamberlain, should be immediately made to his majesty; and that a petition should be forthwith made for a new charter. This surrender was dated 28th Oct. 1684, in the thirty-second year of Charles the second, but was never presented, on account of the illness and death of his majesty.—In Feb. 1684-5, at the same time that the common council presented an address of congratulation to King James the second, on his coming to the throne, they petitioned that his majesty would not insist upon the surrender of their charter, as they had no money to defray the expenses of a new one.—This petition was unavailing, and, in March following, the common council ordered that the surrender should be forthwith made to the new monarch, and that a petition should be presented for a new charter, in the same form as that prepared for the late king, which was accordingly done.

* See Appendix, No. 28.

† See Appendix, No. 29.

‡ It would be difficult to ascertain precisely the origin of boroughs. We find them mentioned in the laws of Ina, king of the West Saxons, a fact which gives them an antiquity of more than eleven hundred years. Among the municipal constitutions of that monarch, for the government of his people, is an ordinance to the following effect:—"whoever shall be guilty of a violation of the peace in a burgh, under the protection of the king or a bishop, shall pay one hundred and twenty shillings; and if it be an alder-

grant; and few corporate towns can boast of a charter which affords such extensive privileges.* The borough is co-extensive with the parish, and the local jurisdiction extends over the whole, which is about fifteen miles in circumference.

If the "bailiffs, burgesses and commonalty" have not lost, through disuse, some of their "ancient liberties, franchises, privileges and pre-eminences," it is evident, from the charter

man's burgh, the fine shall be eighty shillings." A similar law occurs also in the code of King Alfred. The principal towns of the Saxons, during the latter period of their sway in Britain, were distinguished by the name of burghs, the inhabitants of which enjoyed particular privileges, immunities and laws, as an encouragement to trade and commerce. In these burghs, markets were established, and imports and exports of merchandize took place, under the cognizance of the *prepositus burghi*, or bailiff of the borough, who was appointed by the prince or lord of the fee to collect the tolls, duties and impositions arising from the trade of the place. The Saxon burgesses appear to have enjoyed the few rights and liberties they possessed, not in consequence of any particular grants or charters, made to them by the king or their lords, as a body corporate, but merely from the circumstance of their inhabiting those houses which constituted the borough. Their condition indeed seems to have been, for the most part, nothing better than a certain qualified slavery; and in this state it is probable the boroughs continued until a period subsequent to the conquest. The Anglo-Norman monarchs, finding that commerce was cramped by the restrictions under which the inhabitants of the cities and towns laboured, by degrees relaxed their servile ties, and not only granted a greater degree of personal liberty, but in lieu of the numerous duties which had been exacted in Saxon times, received only a fixed *redditus*, called a fee farm rent, proportioned in some measure to the amount of the original impositions. About the same time in which this change in the condition of the burgesses took place, chartered corporations had their origin. The former might indeed have been the necessary consequence of the latter; for when the state had determined to extend the liberties of the ancient Saxon boroughs, the first step would naturally be to reduce the former uncertain and arbitrary customs with which they were burthened, and require only a fixed and more equitable rent. The origin of corporations is thus deduced in Maddox's MS. Collections: "The king committed a town to the townsmen themselves, at *ferm*, during his pleasure, instead of committing it to the hands of a provost or fermer; they then obtained it in fee ferm, i. e. in perpetual ferm, and afterwards prevailed on the king to grant their ferm to them. They, lastly, prevailed on him to make them a *corpus incorporatum*, and soon forgot those towns had ever been holden in demesne by the king."

* For the important privileges afforded by the present charter, the town was chiefly indebted to the exertions of Richard Dowdeswell, esq. Sir Francis Winnington, knt. and Robert Tracy, esq.

of King William, as well as from some of the preceding ones, that they have at present not only jurisdiction throughout the entire parish, but that the "free borough corporate" extends also over "the whole hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester." The corporation records state, that, in Sept. 1700, an action of trespass at Bourton-on-the-Hill was tried in the Tewkesbury Borough Court of Record, that judgment was given, and an execution issued and executed by the bailiff of the hundred. Similar actions, from other remote parts of the hundred,* have also been tried in the same court; there appears however to be no instance of the corporation having exercised this right recently.

The corporation consists of twenty-four principal burgesses, who are styled common-councilmen;† from this body are chosen a high-steward,‡ recorder, town-clerk (who is also clerk of the peace and clerk of the recognizances), a coroner

* Tewkesbury Hundred comprises:—*Upper Part*: Ashton-under-Hill, Alderton, Bourton-on-the-Hill, Clifford Chambers, Dixton, Didcot, Lemington, Prescot, Stanway, Shennington, and Washbourn.—*Lower Part*: Aston-upon-Carron, Bodington and Barrow, Fiddington and Natton, Forthampton, Kemerton, Mythe and Mythe Hook, Northway and Newton, Oxenton, Pamington, Southwick and Park, Stoke Orchard, Tewkesbury, Tredington and Walton Cardiff.

† The following is a list of the present members of the corporation, arranged according to the dates of their election:

1771. William Cliffe, esq.	1811. Benjamin Holland, esq.
1797. Rev. Wm. Geo. Maxwell.	1811. James Gorle, esq.
1798. John Edmund Dowdeswell, esq. M. P. recorder.	1812. Charles Edward Chandler, esq.
1800. John Pitt Nind, esq.	1814. Joseph Boughton, esq.
1804. Thomas Vernon, esq. chamberlain.	1817. Edmund Warden Jones, esq. town-clerk and coroner.
1805. Sir Anthony Lechmere, bart.	1817. Edward Brydges, esq.
1806. Joseph Wickes, esq.	1819. Rev. Charles White.
1807. Michael Procter, esq.	1820. Joseph Longmore, esq.
1810. Rt. Hon. George William, Earl of Coventry, high steward.	1821. Robert Young, esq.
1810. Henry William Harris, esq. deputy recorder.	1825. Lewis Goodin Senior, esq.
1811. Rev. William Prosser.	1828. Thomas Taylor, esq.
	1829. William Dowdeswell, esq.
	1829. George Edmunds Williams, esq.

‡ See Appendix, No. 30.

and chamberlain. From among the principal burgesses are also elected annually, on the second Thursday in October, two bailiffs,* and four justices of the peace, who, with the recorder, form the magistracy of the borough.

The corporation, at one time, comprised twenty-four assistants, in addition to the twenty-four principal burgesses; this supernumerary body was found to be entirely useless, and therefore, for many years past, the principal burgesses themselves have been sworn into the office of assistants, previously to their being admitted common-councilmen.

Tewkesbury, amongst other privileges belonging to its corporate capacity, has the most valuable and important one of holding certain courts of a civil and criminal nature. It is not indeed styled the *county* of the town of Tewkesbury; though in almost every practical and substantial respect it is a county within itself. Its inhabitants are exempt from the inconvenient task of service on the county juries; and now that the term of the assizes is so much lengthened, this may truly be considered a most beneficial exemption. It is also exempt from payment of county rates, and collects and expends its own borough stock. The *ne intromittat* clauses in the charter are strong and unequivocal, not only as against the sheriff of the county, but also the justices of the county. The sheriff, in the execution of his process within the borough, must issue his precept to the bailiffs, who thereupon authorise their serjeants-at-mace to execute the process. •

Its civil jurisdiction, in the institution of a court of record, for the recovery of debts not exceeding fifty pounds, is productive of extensive advantages. In the transactions between persons to whom such a court is chiefly of importance, namely, the tradesmen of the town, their debts are generally under the sum limited: and the expense of prosecuting a suit in this court may be taken on an average as not exceeding four or five pounds.†

• For a list of the bailiffs, &c. see Appendix, No. 31.

† For some account of the Court of Record, see Appendix, No. 32.

The recorder, or his deputy, in concert with the bailiffs and justices, holds a general quarter sessions of the peace. The power of inflicting punishment extends to transportation; but in very serious cases, the magistrates commit to the assizes instead of the borough sessions.*

Its constablewick consists of a high constable, six other constables, two serjeants-at-mace, two beadles, and the gaoler, to whose office that of constable is generally added.

The corporation regularly hold courts-leet, at which the inhabitants of all the parishes in the hundred of Tewkesbury perform suit and service. The body corporate have also the power of admitting such persons as they deem proper to be burgesses, or honorary freemen; and of perambulating the boundaries of the parish, &c. whenever they judge it necessary. A perambulation generally takes place once in seven years; the last was on May 20, 1829.

The bailiffs of the borough are clerks of the market, and annually appoint a suitable number of persons as assistant clerks. There are two weekly markets: one on Wednesdays, for corn, cattle, pigs, sheep, butchers' meat, poultry, butter, vegetables, &c.; and one on Saturdays, for provisions of every description.

* There have been few instances of atrocious crimes, committed within the borough, except the two following, which were attended with some singular coincidences. On Aug. 4, 1791, William Birt, a carpenter, murdered Sarah Powell, a poor girl, whom he had seduced, by administering poison to her while she was pregnant. He was removed by *habeas corpus* from Tewkesbury to Gloucester, was found guilty at the ensuing assizes, and hung himself in the condemned cell on the following night. The corpse was sent by order of the coroner, to the parish officers at Tewkesbury, and buried in the cross-road at the entrance into the lane which leads to the Lodge, near the house of industry.—On Feb. 15, 1800, John Young, a carpenter, of Longdon, in returning home from Tewkesbury market, murdered his wife, in the Ham, by throwing her into the Severn, where her body was found, with her hands tied by her side, and a sack drawn over her head, on the 29th of March. The murderer was sent to Gloucester gaol, and on the 1st of August, the morning which had been fixed upon for his trial, he was found suspended by a handkerchief to the window of his cell, quite dead. His body was sent to Tewkesbury, by the coroner's directions, and buried in the cross-way at the bottom of Pagett's lane, near the river, at the Mythe.

There are five* annual fairs in Tewkesbury,† viz. on the second Monday in March,—second Wednesday in April,—May 14th,—first Wednesday after the 4th of September, for cheese, wool, &c. as well as for live stock,—and October 10th.—There are likewise statute fairs, provincially termed *mops*, for hiring servants, on the Wednesday before and the Wednesday after October 10th.—Besides which, there are great markets, on the second Wednesdays in the months of June, August and December.

The income of the corporation is at present little more than sufficient to enable them to remunerate the serjeants-at-mace and their other officers: they are even obliged individually to bear the expenses of their annual civic feast. Their chief income is now derivable from a toll upon horses, cattle, sheep and pigs, sold in the fairs and markets. When the lease of the market-house, and the leases of the twelve houses in Gloucester-Place, shall have expired, the former in 1888 and the latter in 1905, their income will again be considerable.

* There were recently seven annual fairs, but in consequence of some of them frequently interfering with other fairs and great markets in the neighbourhood, it was agreed, at a public meeting, in 1827, to discontinue the fair heretofore held on the 22d of June, at which little business had been for many years transacted, and also that on the first Wednesday in December old style; and to have, in lieu of them, great markets in those months, and also a great market in August.—See Appendix, No. 33.

† Hugh le Despenser the younger had a grant of a fair in Tewkesbury, 17 Edw. II. which is supposed to have been the origin of that now held in April.—20 Hen. VI. A grant to the Earl of Warwick to hold two fairs in Tewkesbury yearly, to continue eight days each, viz. on the eve and day of St. Matthias and six days after, and also on the eve and day of St. Bartholomew and six days after: these are the present March and September fairs.—17 Eliz. A grant of two markets, viz. Wednesdays and Saturdays; and upon Wednesdays to sell cattle, wool, yarn, hemp and flax; and also a fair and court of *pie poudre* on St. Mark's day.—3 Jas. I. The fair granted by Elizabeth was repealed, and a grant of a fair, instead of it, was to be held on the 3d of May, called Holyrood day: the same fair which is now held in May.—7 James I. A grant of two new fairs, viz. on St. Barnabas' day and St. Michael the Archangel's day: one of them is the same as the present October fair, and the other was that which was until lately held in June. The origin of the fair, which was formerly held in December, is not known.

The corporation formerly claimed a toll on all grain which was sold in the market, and this produced a yearly income of little less than £.200. In attempting to enforce their claims to this antiquated impost, all their convertible property has been alienated. That they had a legal right to toll, by virtue of their successive charters, was unquestionable; and that they had uninterruptedly enjoyed that right for many ages, was never attempted to be denied. At the time that their charters were obtained, corn was invariably brought in bulk, and pitched in the market, and what was unsold on one market-day, remained there until the next; it was therefore only reasonable, that the corporation, who were expected to find warehouse-room for such corn, should be entitled to remuneration. Corn has lately been sold by sample; and the farmers and corn-dealers contended that it was not equitable that the corporation, when no accommodation was required of them, should continue to demand the same toll as they formerly received.

The claim to toll appears to have been first openly resisted in the year 1757: on that occasion, the corporation filed a bill in chancery against Mr. John Embury, Mr. John Jenkins, and others, for an account of the corn toll which had been by them unjustly withheld; and although the defendants severally put in answers, they submitted and made compensation before the suit came to a hearing.

Another serious infraction of the corporate claims took place in 1805; and the corporation resolved to enforce their demand, which they stated to be "one peck for every forty-eight bushels of wheat, beans, barley, oats, rye and pulse." A tedious and expensive law-suit ensued, which was determined, in the year 1809, by a decision completely in favour of the corporation.

The tolls were afterwards continued to be taken, until June, 1812; the claim was then again resisted, and the corporation for a time ceased to demand tolls, in consequence of a decision which had been recently given ~~against~~ the corporation of Worcester, in the same court ~~and~~ by the same judge who,

in 1809, pronounced judgment in favour of the Tewkesbury corporation.*

In Oct. 1813, the body corporate publicly announced their determination to re-assert their ancient right to toll; and at a chamber meeting, they resolved rather to surrender their charter altogether, than yield up so essential a prerogative. The corn-dealers and farmers, at a public meeting, immediately entered into a subscription, for defraying any expenses which might arise in consequence of proceedings being commenced against them by the corporation. The latter then gave notice to the committee, appointed to watch over the interests of the farmers, that they would forthwith institute proceedings "for recovery of all toll withheld from them." The want of pecuniary means perhaps prevented this threat being carried into execution, and since that period, corn toll has never been attempted to be collected in Tewkesbury.

The justices of the peace for the counties of Gloucester and Worcester hold a petty sessions at the office of Mr. T. P. White, in Tewkesbury, every other Wednesday; and to the "unpaid magistracy" of this district—the Rev. John Timbrill, D. D. archdeacon of Gloucester and vicar of Beckford; the Rev. John Keysall, domestic chaplain to his majesty and rector of Bredon; and the Rev. Charles White, vicar of Tewkesbury—the inhabitants of the neighbourhood are highly indebted, for the great zeal and inflexible integrity with which they regularly fulfil the arduous duties of the magisterial office.

* Lord Chief Justice Mansfield, in 1809, pronounced the judgment of the Court of Common Pleas, in the action "The Bailiffs, Burgesses, and Commonalty of the Borough of Tewkesbury, v. Bricknell," to be, "That the selling by sample is a fraud upon the market, and that the corporation are entitled to toll in respect of the corn so sold, in the same manner as though it was brought to and pitched in the market, and there sold in bulk." In the Worcester Toll Cause, in 1812, he decided "That the lord or superior of an open or public market was not entitled to toll, or duty, on any commodities not brought in bulk into the market, and there disposed of in open market."

CHAPTER XVI.

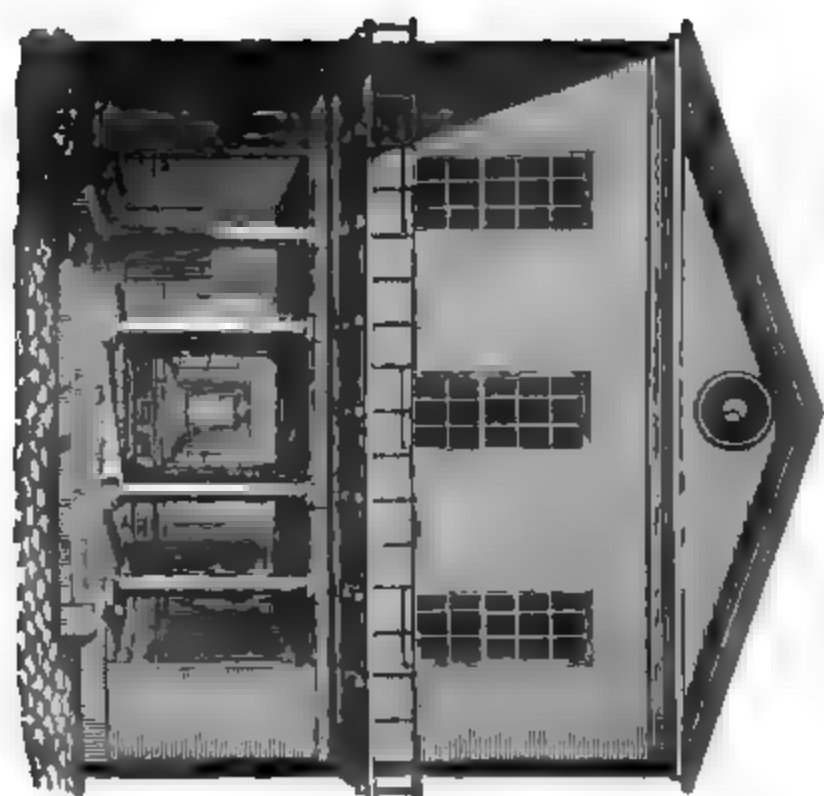
PUBLIC BUILDINGS, SCHOOLS, AND CHARITABLE INSTITUTIONS.

TOWN-HALL.—The Town-Hall, or Tolzey, was erected in the year 1788, at an expense of upwards of £.1200, and given by Sir William Codrington, bart. to the corporation of the borough. On the ground floor is a large paved area, separated from a court by four circular pillars, which chiefly support the front of the structure; behind this is the hall, in which the quarter sessions are held; and adjoining it is the town-clerk's office. A spacious stone staircase leads to a handsome banquetting or ball-room, which is neatly fitted up, and ornamented with an admirable portrait of the founder, painted by Sir William Beechey. On the same floor is a large drawing-room, used as a council-chamber by the corporation, and as a place of meeting by the commissioners of the streets and other public bodies. The grand jury also assemble in this room; the use of which is freely granted by the bailiffs to the inhabitants of the borough on every necessary occasion.

The accompanying wood engraving represents the structure in its original state; a small cupola was placed on the top of it, a few years since, for the purpose of introducing a bell.

The court, between the street and the building, was intended for holding the corn-market; and the open space, on the ground floor, for pitching the corn which might be brought for sale; the farmers and dealers, however, prefer assembling in the public streets, on market days, and there the corn trade is principally transacted.

The old Tolzey stood in the centre of the town, at the junction of the three principal streets, and greatly obstructed



the carriage-way from the High-street to the other parts of the borough. The removal of this building, which had nothing in its history or appearance to atone for the inconveniences which it created, and the consequent destruction of some decayed dwelling-houses which were attached to it, improved the town in a greater degree than can be easily imagined.

THE GAOL.—The new Borough Gaol, which is situate at the upper end of the High-street, was built in 1816, at an expense of £.3419. 11s. 7½*d.* The whole of this sum, with the exception of £.175, which was paid by the national school committee for the materials of the old gaol and the ground on which the school is built, was collected by parish rates, between the years 1814 and 1818. Shortly after the prison was occupied, two boys, who were detained in it on a charge of burglary, made their escape; and as it was found that the building was neither adequate to the safe custody of the prisoners, nor commodious enough to admit of their proper classification, a great expense was subsequently incurred in its improvement and enlargement. The annual cost of maintaining this establishment, including salaries, &c. is on an average little more than £.100, which is raised by a rate upon the inhabitants.

HOUSE OF INDUSTRY.—This building stands on an elevated spot, near the entrance into the town from Gloucester and Cheltenham, and is better adapted for the purposes for which it was intended than similar structures generally are. Time however has proved, that buildings which were designed for “houses of industry,” are too frequently receptacles for the idle and the profligate: such places indeed are only fit for orphan or deserted children, and for the aged and infirm. It is much better to relieve the industrious poor at their own houses, when sickness or poverty assails them, than to compel them to take up their abode in parish work-houses.*

* Before the Reformation there were no poor's-rates; the charitable doles given at religious houses, and church ales in every parish, were sufficient. In every parish there was a church-house, to which belonged spits, pots, crocks, &c. for dressing provisions. Here the housekeepers met and were merry, and gave their charity. The young people came there too, and had dancing, bowling, shooting at butts, &c.—*Antiq. Rep.*

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In the year 1723, the whole amount collected for the poor within the parish was less than £.200.* Since the passing

Received from the last officers.....	£.3	5	1½
Received on the twelve months booke and on the additionall booke	195	4	11¼
Received from Widd.			
Gainer's effects	9	4	6½
	£.207	14	7¼

Paid fifty weeks to the poor and others by money	£.185	10	2
Paid Mrs. Williams for sacrament wine, by order of the parish..	15	17	6
Remains in the overseer's hands, which is to be paid next year's officers	6	6	11¼
	£.207	14	7¼

The following are the total expenses of supporting the necessitous poor of this parish, in the under-mentioned years :—

1723,	£.185	10	2		1768,	£.643	1	5½		1781,	£.1016	15	11½
1730,	245	4	10		1776,	667	9	3		1787,	1252	10	10½

of the house of industry act, the following sums have been collected by poor's-rates :*—

In the year ending in June,	£.	s.	d.	In the year ending in June,	£.	s.	d.
1796, ...	1158	15	10	1813, ...	3558	2	8
1797, ...	2610	15	1	1814, ...	4673	19	1
1798, ...	1999	12	9	1815, ...	2791	17	6
1799, ...	1967	4	2	1816, ...	2539	13	11
1800, ...	2545	14	7½	1817, ...	4654	11	1
1801, ...	2956	13	0	1818, ...	4582	6	8
1802, ...	2872	1	10	1819, ...	4158	18	3
1803, ...	2011	4	3	1820, ...	3572	2	4
1804, ...	2493	11	6½	1821, ...	4523	6	8
1805, ...	2082	9	3½	1822, ...	2696	15	7
1806, ...	2068	10	0½	1823, ...	2386	12	11
1807, ...	2138	5	6	1824, ...	2532	7	9
1808, ...	2246	15	11½	1825, ...	2253	5	11
1809, ...	2185	15	11½	1826, ...	3158	3	3
1810, ...	2547	9	0	1827, ...	3538	18	9
1811, ...	2972	6	3	1828, ...	3421	15	0
1812, ...	3267	18	10	1829, ...	3052	11	3

The building of the house of industry was commenced almost immediately after the act, which authorised its erection, was obtained; it was completed in 1796, and cost altogether upwards of £.7000.† The sum of £.5500 was borrowed upon mortgage of the parish property and of the money to be raised by poor's-rates; and the interest of this sum, together with £.100 of the principal money, was directed by the act to be paid off annually. So great however had been the negligence of the directors, that, in 1799, no part of the principal had been discharged, and the parish was indebted to the treasurer upwards of £.1000, besides nearly £.300 to other individuals. These sums, with the principal and interest which was due to

* Out of these sums are paid the borough stock expenses, which for the last seven years have averaged about £.225 annually.

† James Martin and William Dowdeswell, esqrs. the representatives of the borough in parliament, liberally discharged the solicitor's bill for procuring the act of parliament, amounting to £.420.

the mortgagees, formed a debt of nearly £.7000. The directors, who were elected in 1799, began a reform, but found themselves compelled first to borrow £.500 more upon mortgage; at Christmas they paid off £.100, and the same amount, with the interest upon the remainder, has since been regularly discharged, so that the mortgage debt is now reduced from £.6000 to £.3100.

MARKET-HOUSE.—The markets were held under the old town-hall, until that edifice was pulled down, in the year 1789, when the corporation granted to twenty individuals, in consideration of their erecting the present commodious Market-House, a lease of the tolls for stallage for a term of ninety-nine years. At the end of that period, not only will the tolls revert to the lessors, but the entire building will become the property of the body corporate. The land on which the market-house stands, together with the expenses of building and of fitting it up, cost about £.1400, or £.70 per share. Considerable sums of money have since been expended in alterations and reparations; but the shareholders have had no cause to regret their speculation.

THE THEATRE.—This building extends from the fives-court, at the back of the Wheat-Sheaf inn, to the Oldbury. There is nothing worthy of notice in its exterior; it is a large brick structure, apparently built without any specific design, and remained unoccupied for many years after it was erected. In 1823, a number of individuals obtained it upon a lease, and fitted it up in its present style. The interior displays much taste and judgment in its arrangement; appropriate devices, from the plays of Shakspeare, ornament the pannels above the front of the boxes; and the scenery was painted by the celebrated John Grieve.

FREE GRAMMAR SCHOOL.—This School was founded in 1576, and is kept in a large apartment, contiguous to the abbey church, with which it was formerly connected. In the charter of King, William the third, it is called “the free grammar-school of William Ferrers, citizen and mercer of London,” on account of his having been the principal bene-



.....

6

factor to it. The bailiffs, justices, chamberlain, and town-clerk, for the time being, are the governors; the Rev. William Prosser is the present master. The endowments of this school are not very considerable: the rent of the Hollams meadow, purchased with money left by Sir Dudley Digges; £.20 yearly, devised by Mr. Ferrers, payable out of the manor of Skillingthorpe, Lincolnshire; and some chief-rents, purchased with money left by Mr. Abye, comprise the income of the master. The election of the children is vested in the governors, who are incorporated by the charter of the borough; though the church-wardens of Ashchurch have the privilege of sending to this school four boys, to be selected by them from the inhabitants of that parish. Mr. Richard Estcourt, an actor and dramatic writer, was educated at this school;* and it is highly probable that Mr. Ferrers, its chief benefactor, was also educated here, a circumstance which might have induced him to benefit the institution so greatly.

BLUE-COAT SCHOOL.—Lady Capel, in 1721, devised a large farm, in Kent, to trustees, for charitable purposes, and directed that one-twelfth part of the rents should be applied towards the support of the Charity School in Tewkesbury. Mr. Thomas

* Mr. Estcourt was a native of Tewkesbury, and born, according to Chetwood, in 1668. In his fifteenth year, he quitted his father's house, and joined a company of comedians at Worcester; where, from a fear of being known, he made his first appearance in female attire, in the part of Roxana, in "Alexander the Great." He was soon restored to his father, who apprenticed him to an apothecary, in Hatton-Garden; from this situation he ran away, and passed several years as an itinerant player in various parts of England. He afterwards went to Dublin, and obtained so much applause, that he returned to London, and procured an engagement at Drury-Lane. Sir Richard Steele, in the Spectator, says, he was of a sprightly wit, and a person of an easy and natural politeness. He was an excellent mimic, and his company was courted by persons of the highest rank, who frequently invited him to their entertainments, in order that he might divert their friends with his drollery. He was a great favourite with John Duke of Marlborough; and when the celebrated "Beef-Steak Club" was established, which consisted of the chief wits and some of the most distinguished men in the kingdom, Mr. Estcourt had the office assigned to him of their *providore*. He was author of "Fair Example," a comedy, and "Prunella," an interlude. He died in 1713, and was buried in the church-yard of St. Paul's, Covent-Garden.

Merrett, in 1724, charged certain lands and premises in Tewkesbury with the payment of fifty shillings yearly, for the benefit of the same institution. A small addition is made to this income, by the annual subscription of a few of the principal inhabitants of the borough. Twenty boys receive the benefit of this charity, who are instructed in reading, writing and arithmetic, besides being in part clothed.* The master of the National School is also the master of the Blue-Coat School; and the children of the two establishments receive their education together.

About the commencement of the last century, there was an academy of great respectability at Tewkesbury, conducted by the Rev. Samuel Jones, a protestant dissenter; who appears, by the character which is given of him by one of his pupils,†

* From the following account of this school, published in 1712, it appears to have been formerly more liberally supported than it is at present :—

“ *Tewkesbury, Gloucestershire.*—A school for forty boys, most of them entirely clothed, and all in some measure, which is done at the expense of the representatives in parliament for that place, and of the minister of the parish. Besides which, there are subscriptions of about £.30 per annum. The minister visits the school three times a week, and appoints select portions of scripture, and collects out of the Common Prayer, for the children to get by heart, according to their age and capacity, which they orderly repeat to the master, when they go home from school. They of the first class, read the Bible and Whole Duty of Man, and after reading, shut their books, and cheerfully recollect the substance of what they have read. And all they have learned, is rehearsed in a regular manner, at a public examination, to the great satisfaction of the subscribers, and others who are then invited to be present.”

† Mr. Secker, afterwards archbishop of Canterbury, in a letter to Dr. Watts, which is published at length in Gibbon's Life of Watts, thus speaks of his preceptor:—“ Mr. Jones I take to be a man of real piety, great learning, and an agreeable temper; one who is very diligent in instructing all under his care; very well qualified to give instructions, and whose well-managed familiarity will always make him respected. He is very strict in keeping good order, and will effectually preserve his pupils from negligence and immorality. And accordingly, I believe, there are not many academies freer in general from those vices, than we are. We shall have gone through our course in about four year's time, which, I believe, no one that once knows Mr. Jones will think too long. We pass our time very agreeably, between study and conversation with our tutor, who is always ready to converse freely on any thing that is useful; and allows us,

to have been deservedly esteemed for his piety and learning. At this seminary several distinguished individuals studied for the ministry; among whom were Secker, archbishop of Canterbury, and Butler,* bishop of Durham; as well as Dr. Chandler, Dr. Gifford, the Rev. Mr. Pearsall, the Rev. Caleb Jobe, (one of the most respected tutors at the Bristol Baptist academy,) and many other eminent dissenting divines. Mr. Jones's manuscript Lectures and Annotations on Godwin's Moses and Aaron, are very valuable: his work, of which there are several copies extant, is written in neat Latin, and contains many excellent remarks, which discover his great learning and accurate knowledge of the subject.† Mr. Jones resided in a large house, near the upper end of the High-street, now the property of Miss Procter. On the night of the coronation of George the first, his residence was attacked by the rabble, who took that opportunity of proclaiming their enmity to all "schismatics" and "friends of the pretender." Mr. George Moore, the high bailiff, in attempting to quell the disturbance,

either then or at lecture, all imaginable liberty of making objections against his opinions, and prosecuting them as far as we can. In this, and every thing else, he shews himself so much a gentleman, and manifests so great an affection and tenderness for his pupils, as cannot but command respect and love."

* Bishop Porteus, in his Life of Archbishop Secker, says, that it was at the Tewkesbury academy that Butler "gave the first proof of his great sagacity and depth of thought, in the letters which he then wrote to Dr. Samuel Clarke; laying before him the doubts that had arisen in his mind, concerning the conclusiveness of some arguments in the doctor's Demonstration of the Being and Attributes of God. These were written with so much candour, modesty and good sense, that, on the discovery of his name, they immediately procured him the friendship of that eminent man, and were afterwards printed at the end of his Evidences of Natural and Revealed Religion. This correspondence was entrusted in confidence to Mr. Secker, who, in order to keep it private, undertook to convey Mr. Butler's letters to the post-office at Gloucester, and to bring back Dr. Clarke's answers."—*Porteus's Works*, vol. VI.

† Jennings' Jewish Antiquities, by Furneaux, 1823.—It would appear that Mr. Jones's work was a text-book in the principal presbyterian schools: Dr. Doddridge, in a letter to Mr. Clarke, says, it "treats of such subjects as the antiquity of the Hebrew language, its points, the Massora, Talmud and Cabbala."—*Doddridge's Correspondence*, i. 41.

was knocked down, and beaten. On the death of Mr. Jones, in 1719, the academy was removed to Carmarthen.*

NATIONAL SCHOOL.—This School was instituted in 1813, and was for some years carried on in the north transept of the church, until the friends of the undertaking were enabled to erect the present building, which adjoins the church-yard, and was completed in 1817. It is a very neat and substantial structure, and cost £.1345. 8s. 3½d.† This establishment has always been conducted in strict conformity to the rules of the parent society in London, “for the Education of the Poor in the Principles of the Established Church.”

BRITISH SCHOOL.—It having been determined, in 1812, to erect a School for the Instruction of the Children of the Poor on the System introduced by Mr. Joseph Lancaster, a plot of ground, at the upper end of Barton-street, was given for that purpose by N. Hartland, esq. one of the society of Friends; on condition that it should revert to him and his heirs, with the buildings upon it, whenever it should cease to be used as a school on its original plan. Charles Hanbury Tracy, esq. liberally gave £.300 towards its erection. The school was opened in 1813; it cost upwards of £.600, and a considerable sum has since been expended in improvements.

* About the time of the death of the Rev. Samuel Jones, the Rev. Wm. Evans, who had the charge of a theological institution at Carmarthen, and who is said to have been the first dissenting tutor in the southern division of the principality, also died. The Rev. Thomas Perrot being appointed successor to Mr. Evans, the Tewkesbury institution was transferred to him, and the public library belonging to it was removed to Carmarthen. After Mr. Perrot's death, in 1733, the academy was removed to Llwynllwyd, near the Hay; in 1741, it was removed to Haverfordwest; and in a few years afterwards it was again established at Carmarthen, under the care of Mr. Thomas. This academy had always received its support from the joint funds of the presbyterians and independents in London; but Mr. Thomas having embraced different opinions from those of his predecessors, the independents withdrew their aid, and formed a new academy at Abergavenny.

† Towards this sum, J. E. Dowdeswell and John Martin, esqrs. gave £.210 each; C. H. Tracy, esq. £.100; General Dowdeswell, £.52. 10s. and the Tewkesbury Yeomanry Cavalry, £.105. The sum of £.67. 19s. 9d. was collected at the church door, after a sermon by the bishop of the diocese; a ball in the school-room produced £.30. 12s. 6d.; and an amateur play, £.60. The remainder was raised by voluntary subscriptions.

SUNDAY-SCHOOLS.—In 1788, a number of the most respectable of the inhabitants entered into a subscription for the purpose of forming a Sunday-School, on the plan recommended by the late Mr. Raikes, of Gloucester, the original projector of these valuable institutions. The Church Sunday-School has been continued from that period to the present; it is now united with the National School, and on Sundays the children of both establishments receive religious instruction and attend divine service together. There is also a Sunday-School attached to the British School, the children of which attend that particular place of worship which is selected by their parents. The Independents, Baptists and Wesleyan Methodists have also each a Sunday School.

A District Association, in aid of the Society for promoting Christian Knowledge, was instituted at Tewkesbury in 1820.

In 1826, a Church Missionary Branch Association, in aid of the London Church Missionary Society, was formed.

An Auxiliary Bible Society was established in 1812; a Ladies' Bible Association has since been added to it; and in 1821, an Auxiliary Religious Tract Society was formed.

In 1806, a Lying-in-Charity was founded; and while ladies, equally zealous and respectable as those who at present conduct this inestimable charity, continue its supporters, it cannot fail to be a comfort and a blessing to the poor and deserving married women of the town and neighbourhood.

A Dispensary was established in 1815, which has always been liberally supported. For this valuable establishment, the poor are principally indebted to Jonas Malden, M. D. one of the physicians to the Worcester infirmary, and to George Dangerfield, esq. surgeon, of Bromyard, both of whom formerly resided in Tewkesbury.

A Charity, for supplying the poor with Blankets, was formed in 1817, which is of considerable advantage to persons in the lower ranks of life.

In 1625, William Ferrers, esq.* by will, left to the corporation the annual sum of £.25, charged on the manor of Skillingthorpe, Lincolnshire; £.5 he directed to be distributed among the poor of Tewkesbury, and £.20 to be appropriated towards the maintenance of a schoolmaster, who should freely teach and instruct poor men's children in the free-school of Tewkesbury.

In 1607, Thomas Poulton left £.40 to the corporation, to be by them lent out yearly, without interest, to young tradesmen and others; and also an annual rent charge of 20s. on a house in the Church-street, (now the property and in the occupation of Mr. Jacob Allis,) to be applied by them towards the maintenance of a preaching minister in Tewkesbury. The former sum has long since been lost, but the latter is regularly paid to the minister by the corporation.

The Right Hon. Baptist Viscount Campden, by will, in 1629, bequeathed to the corporation of Tewkesbury, the rectory and church of St. Ishmaels in Rose, Pembrokeshire, which had formerly been part of the possessions of the priory of Haverfordwest. One moiety of the rents and profits he directed to be distributed among the poor of the town and precincts, and the other to be applied towards the better maintenance of a preacher to serve in the church of Tewkesbury. The rectory of St. Ishmaels consists of two-thirds of the great and small tithes; the other third part belongs to the vicar. The tithes are compounded for, and the composition is collected by an agent for all parties. The vicar of Tewkesbury usually receives from £.40 to £.45 yearly, and the corporation the same sum.

* He was high steward of the borough of Tewkesbury, and was second son of Roger Ferrers, esq. of Fiddington, in the parish of Ashchurch. He settled early in life in London, and became equally eminent for his wealth and for his acts of benevolence. Independently of his bequests to the school and the poor of Tewkesbury, he left considerable sums to the church, to the poor and to the highways of his native parish, and also to many charitable purposes in the neighbourhood of London. He died Sept. 26, 1625, and was buried in Allhallows Church, Lombard-street. A small neat monument, with the half-length effigy of an old man, habited as a citizen of London, in a livery gown, with his arms, &c. was erected by his brother, in the church at Ashchurch.

In 1631, Mr. John Roberts, of Fiddington, bequeathed £.20 to the corporation, for investment; with the interest they were to purchase four tons of coals yearly, to be distributed to eighty poor persons in the week before Christmas. He also left £.10, and directed that the interest of that sum should be applied towards the reparation of the church. The former bequest was disposed of in the purchase of coals, during an inclement season, prior to the passing of Gilbert's act, in 1786; and the latter appears, from the corporation books, to have been lent to one Robert Jennings, in 1651, and was lost.

In 1636, Mr. John Wright charged a tenement at Kemerton, and lands at Bredon, with the yearly payment of 20s. to be distributed in bread by the bailiffs, or the overseers of the poor, one half of it on the feast-day of St. Thomas, and the other half on Good Friday.

Thomas Lord Coventry, by will, dated in 1657, bequeathed £.300 to the poor of Tewkesbury. With this sum, a rent charge of £.15 was obtained on lands in the parish of Bredon, now the property of the Rev. Wm. Hopton, of Kemerton; who annually pays £.12, there being deducted for land-tax, £3.

Mr. William Wilson, by will, in 1726, left £.100 South Sea Stock to the corporation, upon trust; the high bailiff to receive the dividends, and dispose of them to poor persons, without regard to differences of political or religious opinions. The annual income is £3. 7s. 4d.

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In 1732, Mrs. Elizabeth Hopton, of Bristol, bequeathed to the church-wardens and overseers of Tewkesbury, £.100, to be invested in land, and the profits to be given to poor house-keepers, on St. Stephen's day.

In 1651, Thomas Lord Coventry gave to the corporation £.200 to be for ever employed as a stock for setting the poor of Tewkesbury to work. Of this, the sum of £.130 appears to have been lost, prior to the granting of the present charter, in 1698;

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the remaining £.70, together with £.30 of other charity money in the hands of the corporation, and two other sums of £.100 each, (the bequests of Mr. Daniel Kemble and Mrs. Elizabeth Hopton), were, in 1734, invested in the purchase of an estate at Berry-End, in the parish of Upton-upon-Severn, containing 12A. 2R. 25P. This property is now held on lease, for twenty-one years, commencing Feb. 12, 1818, at the yearly rent of £.33, by J. J. Martin, esq. of Ham Court. The chamberlain receives the rent, and pays one-third part of it to the directors.

The sum of £.92. 18s. 10d. is the net amount of the aggregate income applicable, in the hands of the corporation, to the relief of the poor generally. The expenses of repairing the almshouses in the church-yard and in Gander-lane are paid out of this sum; and the remainder is distributed to the poor, at Christmas, by the bailiffs, magistrates and town-clerk.

In 1682, Mr. John Read left by will £.50, to be laid out in land, the yearly profits to be distributed among the poor by the church-wardens and overseers.

The Rev. Robert Wriggan, by will, in 1701, gave the sum of £.5 to the parish of Tewkesbury, and directed that the interest of it should be given to the poor by the minister and church-wardens.

Mrs. Elizabeth Dowdeswell, in 1722, left by will £.100, for the better maintenance of the minister of the parish of Tewkesbury, and £.50 towards the repairs of the church.

In 1725, the bequests of Mr. John Read, the Rev. Robert Wriggan, and Mrs. Elizabeth Dowdeswell, together with £.5 interest upon Mr. Read's money, amounting in the whole to £.210, were invested in the purchase of an estate called Abbot's Leys, at Gretton, in the parish of Winchcomb. The land measures fifteen acres, and is let to a yearly tenant at £.15 per annum, subject to a modus of 10s. The rent is paid to the vicar of Tewkesbury, who retains £.6. 18s. 1d. as his own proportion; pays £.4. 2s. 10d. to the directors of the poor, and £.3. 9s. 1d. to the church-wardens.

By virtue of the house of industry act, the directors of the poor receive those charity monies which before had been paid to the church-wardens and overseers. The directors are now in the annual receipt of £.15. 2s. 10d.; viz. one third of the rents of Berry-End estate, and their proportion under the division made by the deed of purchase of the Abbot's Leys estate. This sum is given by them, at Christmas, to such of the deserving poor as are not receiving parish relief.

Charities under the management of Giles Geest's Feoffees.

Mr. Giles Geest, by will, in 1588, devised to trustees four houses near the Bull-Ring in the Church-street, (which have been recently pulled down, and three new ones erected in their room); eleven houses and gardens in the same street; a house opposite the church; two houses in the Mill-street; one on the Mill-bank; three in Carr's-lane, and one in Walker's-lane. The testator directed that four feoffees should have the controul of his bequests; that one of them should be receiver of the rents and overseer of the property, and make a particular account, as well of the rents and revenues, as of the reparations, &c. to the bailiffs of the borough and the other three feoffees, every year in the week next after the feast of All Saints; that the said receiver should have yearly 6s. 8d. for his trouble; the auditor of the accompts, 2s.; and the bailiffs and the other three feoffees, 3s. 4d. to repast themselves. The residue of the rents, &c. he directed to be distributed among the poor people, resident within the borough, by the bailiffs and the other three feoffees, yearly, between the day of settling the accounts and the feast of our Saviour's nativity. In case of the death of a feoffee, the remaining three were to choose one other honest man, dwelling within the said borough, to fill his place. These premises are let to yearly tenants, and produce £.207 per annum.

In 1562, Mrs. Margaret Hikes devised to four trustees, a tenement at the bottom of Barton-street, for the benefit of the poor. This was rebuilt in 1793, and converted into two residences, now occupied by Mr. John Spurrier and Mr.

John Evans. She also, at the same time, gave the rent of an acre of land, in the Oldbury Field, to repair the roads between Tewkesbury and Ashchurch. The land could not be pointed out when the Oldbury was inclosed, and the bequest is consequently lost.

Mrs. Ann Slaughter, in 1617, gave by indenture a piece of ground, about one acre, called the Great Saffron Garden, at the back of the Barton-street, to four trustees, to distribute the rents among such of the poor inhabitants as they should think fit.

The same feoffees receive the rent of a piece of land, in the Severn Ham, containing two roods and sixteen perches. This is annexed to Mrs. Slaughter's gift, and is supposed to have been substituted for a rent-charge of 10s. which she bequeathed to her trustees along with the Saffron Garden.

The rents of the four last-mentioned bequests, amounting annually to about £.250, are received by the same feoffees. A portion of the income is at present yearly appropriated towards the payment of the money which was borrowed for the purpose of re-building the three houses in the Bull-Ring, and in discharge of the interest; the remainder, after the expenses of repairs, &c. are defrayed, is laid out by the feoffees, in supplying the poor with blankets and sheets.

Charities received by the Trustees of the Blue-Coat School.

In 1721, Dowager Lady Dorothy Capel devised to trustees, a farm called Perry Court, in Feversham, Ospringe and Lud-denham, in Kent, to pay over to the treasurer, or any three or more of the trustees of the charity school for boys at Tewkesbury, one twelfth-part of the annual rents and profits of the said farm, the other eleven parts to be paid to the trustees of various other schools. The farm is now let on lease for £.450 per annum.

In 1722, Mrs. Elizabeth Dowdeswell left £.40 to the charity school for boys at Tewkesbury, but it is not known how this sum was disposed of.

In 1724, Mr. Thomas Merrett left 50s. annually to the charity school at Tewkesbury, payable out of his estate. One

moiety of this sum is charged on certain houses in Tewkesbury, and the other moiety on premises in the parishes of Ashchurch and Gretton.

In 1681, Mr. Thomas Kings (under the direction of Mr. William Curtis) conveyed by deed a piece of arable land, of five acres, called the Moors, at Twyning, for the use of such widows and other poor housekeepers, not receiving alms, as the trustees should think fit. The present rent is £.10.

In 1681, Mr. William Wakeman, of the Mythe, bequeathed to the minister of Tewkesbury, a yearly rent charge of 20s. payable out of lands called Red Pools and Middle Grounds, at the Mythe, to be distributed to poor housekeepers; and also 10s. annually for a sermon on Good Friday. These lands are now the property of John Hampton Hampton, esq.

In 1699, Mr. Robert Porter, by indenture, granted two-third parts,—and Mr. Thomas Kemble, by will, in 1732, devised the other portion,—of two acres of land in the Severn Ham, to four persons upon trust, to expend the profits in bread; directing that it should be given to the poor, by the church-wardens, on the first Thursday in February.

In 1716, Charles Wynde, esq. by will, charged his estate at Stoke Prior, Worcestershire, with the annual payment of £.10, to be thus applied: 20s. for a sermon, and 5s. for prayers, on the anniversary of his death; 40s. for reading prayers at six o'clock on Sunday evenings, between Lady-day and Michaelmas; £.5. 15s. to be distributed to the poor in bread and money; 10s. for keeping in repair the testator's monument, his wife's grave-stone, &c. and 10s. for any extra expenses.

In 1727, Mr. William Hayward left £.20, to be invested in land, for the benefit of the minister; and £.50 to the poor. These bequests were never received, in consequence of his executor dying insolvent.

In 1732, Mrs. Elizabeth Hopton, of Bristol, gave by will a piece of meadow land, near Salendine's bridge, in the parish of Ashchurch, and all her arable land in the Oldbury Field, to the minister, to preach six sermons, preparatory to the

sacrament, on the last Friday in every month, between Lady-day and Michaelmas. These lands are let for £.17. 7s. per annum.

In 1757, Sir Wm. Strachan, of Bishop's Cleeve, conveyed a messuage and lands, in the parish of Castlemorton, Worcestershire, upon trust, to apply the rents and profits in providing good coats for three poor old men, and good gowns for three poor old women; the remainder to be laid out in bread, and given to the poor of Tewkesbury. The land consists of eight acres, with a house and outbuildings upon it, and is let to a yearly tenant at £.8.

In 1776, Mrs. Sarah Hall, of Worcester, bequeathed by will £.200, the interest of it to be laid out in good stuff gowns, by the minister and church-wardens, and given on All Saints' day, to six poor maids or widows, belonging to the borough of Tewkesbury, not receiving parochial relief. This money was laid out in the purchase of £.352. 8s. three per cents reduced, now standing in the names of the vicar and church-wardens.

In 1803, the Rev. Henry Collet, by will, gave £.250 stock in the four per cent. annuities, upon trust, that one moiety of the dividends thereof, (after the death of certain persons,) should be laid out annually in coals, to be distributed on St. Thomas's day, by the vicar and church-wardens, to the poor widows in the almshouses in the church-yard; and the other moiety to be expended in the purchase of five stuff gowns and other wearing apparel, to be distributed yearly to five of the said widows alternately.

Mr. Thomas Cook devised, by will, in 1558, a house and garden in the High-street, (then called the Fox, and which now form part of the premises of Lewis Goodin Senior, esq.) for repairing the church. This property was granted on a building lease, for ninety-nine years, commencing March 25th, 1751, at the yearly rent of 2s. 6d. for the first thirty years, and 30s. a year for the remainder of the term.

In 1566, Mrs. Juliana Best, by deed, granted an annuity or rent charge of 6s. 8d. on a tenement in the High-street, now the property of Mr. William Hawkley,—one moiety to be dis-

tributed among the poor of Tewkesbury, on the feast of the Nativity; and the other to be applied towards the reparation of the Long Bridge.

Mr. Richard Mynce, in 1665, gave 40s. a year out of the lattermath of the Avon Hams, towards the repair of the Long Bridge. W. Dillon, esq. pays 20s. and Misses Sarah and Eliz. Darke, 20s.

The church-wardens receive 20s. yearly for half an acre of land in the Avon Ham, in the occupation of Mr. Charles Banaster. It is not known by whom this was left, but the rent has been paid to the church-wardens since 1564.

Mrs. Ellen Eckynsale, in 1568, gave 12d. a year towards the repairs of the church, payable out of two tenements at the end of Oldbury-street. In 1725, Ralph Jeynes was the tenant; it is not known in whose possession the premises now are.

Donations to the Minister of Tewkesbury.

King James the first, in 1608, charged the rectory of Tewkesbury with £.10 per annum to the minister.

The same monarch, in 1615, granted to the assistant of the curate of the church of Tewkesbury, a yearly stipend of £.4. 7s. 6d. and £.1. 8s. 3d. for two chambers. These sums are now paid by the auditors of the county.

Edwin Skrimshire, esq. in 1683, granted the tithes of Tredington and Fiddington, after certain payments, to the minister of the church of Tewkesbury.

In 1690, Mrs. Elizabeth Townsend, by will, gave £.200 towards the support of the minister of Tewkesbury. This sum has been since laid out on land at Greet, in the parish of Winchcomb, now let at about £.15 per annum.

In 1685, Dr. Thomas Geers, by deed, settled the privy or small tithes of this town and borough, on the reader or assistant to the minister of this church for ever.

CHAPTER XVIII.

DISSENTING PLACES OF WORSHIP, &c.

INDEPENDENT CHAPEL.—This building is situate at the upper end of Barton-street. It was originally erected and endowed by the Presbyterians, though no particulars of its early history can now be obtained; when the Rev. Henry Welsford, the present respected minister of this chapel, was chosen to the pastoral office, in 1819, not a single document of any interest, relating either to its foundation, its ministers, or its congregation, could be discovered.

The Presbyterian dissenters, from a diminution of their numbers, had become unable to support a pastor of their own denomination; they therefore, about half a century ago, permitted the congregation of Independents to unite with them. From that period to the present, the Presbyterians have gradually diminished in numbers, while the Independents have greatly increased; and at this time, the members of this congregation strictly conform to the government and worship adopted by the Independents.

In 1820, this chapel was newly pewed, and rendered more commodious and comfortable; but being found, a few years afterwards, too small for the congregation, it was, at an expense of about £.900, enlarged, by extending the building towards the street, and erecting a spacious gallery. It was re-opened on the 31st of Aug. 1828, on which occasion £.50 was collected at the doors, after sermons by the Rev. Wm. Thorp, of Bristol; and upwards of £.500 was contributed by the inhabitants of the town and neighbourhood.

Some branches of the family of the late Dr. Philip Doddridge* are interred in the burial ground at the back of this chapel.†

BAPTIST CHAPEL.—The particular Baptists‡ have a neat and convenient place of worship, near the bottom of Barton-street, which was erected by subscription in the year 1805. The Baptists had a considerable congregation here as early as 1655. Their original meeting-house was in an alley in the Church-street, nearly opposite the abbey church, where they have now a small chapel, a burial ground, and some dwelling-houses, the rents of which are appropriated to the use of the poor belonging to the society. The Rev. Daniel Trotman, the

* Dr. Doddridge's eldest daughter was married to Mr. Humphreys, an attorney, of Tewkesbury, whose grandson, John Doddridge Humphreys, esq. author of *Prince Malcolm* and other poems, has recently edited the *Posthumous Sermons of Dr. Doddridge*, and is now publishing the *Correspondence of this pious and learned divine*. After the doctor's decease, which happened at Lisbon, in 1751, his widow, son, and two maiden daughters, resided at Tewkesbury, in great respectability and esteem.

† On a raised tomb, enclosed with iron railing, are these inscriptions:

Memoriæ sacrum Elizabethæ Humphreys, Johannis Humphreys, gen. uxoris, quæ vixit annos 26. Ob. Maii die nono 1752.

Charlotta Elizabetha, prædicti Johannis Humphreys et Mariæ uxoris ejus secundæ filia. Obijt 18 die Augusti, 1765, natali die, anno ætatis suæ quarto.

Josephus filius Johannis et Mariæ Humphreys. Vixit septimanas decem. Obiit 10 die Octobris, 1766.

Phi. Doddridge, gen. Ob. 13 Mar. 1785, ætat. suæ 47.

Mercy Doddridge, Philippi Doddridge, S.T.P. vidua. Obiit vicesima die Aprilis, anno Domini 1790, ætatis 82.

Mary Humphreys, Johannis Humphreys vidua, necnon prædicti P. Doddridge filia. Obiit die Junii octava, anno Domini 1799, ætatis 66.

Anna Cecilia Doddridge, postrema superstes filia prædicti Philippi Doddridge. Ob. 3 die Augusti, A. D. 1811, ætatis suæ 74.

Maria, sola charissima filia Johannis Doddridge Humphreys et Mariæ uxoris ejus. Ob. 27 die Novembris A. D. 1811, ætatis suæ 14.

Memoriæ sacrum Johannis Doddridge Humphreys, gen. Obiit 3 die Dec. A. D. 1813, ætatis suæ 53.

‡ There are *General* and *Particular* Baptists: the former are Arminians, and the latter Calvinists.

present worthy minister, has regularly fulfilled the duties of the pastoral office since the year 1803.

FRIENDS' MEETING-HOUSE.—The Society of Friends have had, almost from the days of George Fox, their founder, a place of worship in Tewkesbury,* or in its immediate neighbourhood.† The present meeting-house was built in the year 1804, partly by subscription among the resident members, and partly by a contribution from the quarterly meetings; it is a very neat and substantial structure, capable of holding several hundred persons. It stands near the centre of the Barton-street, and attached thereto is a small burial ground, but their principal place of interment‡ is in St. Mary's-lane, where also their old meeting-house stood. The Friends, in the counties of Gloucester and Wilts, are associated: they hold one quarterly meeting at Tewkesbury, on the last Tuesday in September; one at Cirencester, in December; one at Melksham, in March; and one at Frenchay, near Bristol, in June, annually.

WESLEYAN CHAPEL.—In the Tolzey-lane stands a commodious chapel, erected by the Wesleyan Methodists, which was first opened for divine worship on the 16th of October 1814, by Dr. Adam Clarke. A chapel, on a more limited scale, had occupied the same site for many years previously.

* In the "Account of the Persecutions of the People called Quakers," for demands recoverable under the acts of 7 and 8 William III. it is stated that, in 1703, "William Pumphrey, of Tewkesbury, was presented in the exchequer for tithes of about five pounds value, at the suit of John Matthews, vicar." He was subsequently imprisoned in the borough gaol.

† Perhaps the oldest Friends' meeting-house in this part of the county was at Stoke Orchard, about four miles from Tewkesbury, where there is still a burial ground, though it is now rarely or never used. For a long period, the monthly meetings were held alternately at Tewkesbury and at Stoke.

‡ The Society of Friends have also an inclosed burial ground adjoining the church-yard at Corse, on an estate belonging to James Wood, esq. of Gloucester, to whom they pay 6s. 8d. yearly for a right of road, though they make no use whatever of it. This property is held on lease, for a long term; the society would willingly relinquish their right to it, but the cautious banker cannot be persuaded to yield up his claim upon them, for a less douceur than ten pounds!

Jews' SYNAGOGUE.—The Jews have now no place of worship here, though it appears that there was formerly a synagogue in St. Mary's-lane.* Sir Robert Atkyns† says, that there was, in his time, no Jew dwelling in Gloucestershire, and that the only Jewess who resided in the county lived at Tewkesbury. Purchas, in his "Pilgrimages," relates a story, from which we may infer that some of this race of people lived here many centuries since. He says, that, about the year 1259, a Jew fell into a common sewer at Tewkesbury, on a Saturday, and refused to permit any one to help him out on that day, lest he should profane his sabbath. Upon this being told to Richard de Clare the second, who was then proprietor of the lordship, he commanded that no one should assist in extricating him on Sunday, resolving to make this ceremonious Israelite observe the Christian sabbath with the same solemnity as he had kept his own; and he expired from the filth and stench before Monday. This tale is likewise related by Fabian, in his "Chronicle of England and France";‡ and also, with some variation, in an early printed book, entitled, "An Historical Dictionary of remarkable Persons": in the latter work, the Jew's name is stated to have been Solomon, and the following verses were made on his singular death:

"Tende manus, Solomon, ego te de stercore tollam;

"Sabbata nostra colo, de stercore surgere nolo.

"Sabbata nostra quidem, Solomon, celebrabis ibidem."

Some remains of an ancient stone building exist near the entrance into St. Mary's-lane, but there is no record or tradition

* "Sum say that Theocus chapelle was aboute the place wher syns the Jewes synagoge was."—*Leland*.

† *Ancient and Present State of Gloucestershire*, 1712.

‡ "1259. In this yere also, fell that hadde of the Jewe of Tewkysbury, which fell into a gonge upon the Satyrday, and wolde not, for reverence of his sabot day, be pluckyd out; whereof heryng the Erle of Gloucetyr, that the Jewe dyd so great reverence to his sabbot daye, thought he wolde doo as moche unto his holy day, which was Sonday; and so kepte hym there tyll Monday, at whiche season, he was foandyn dede."—*Fabian's Chronicle*.

to guide us in ascertaining when or for what purpose it was erected. The portions of the fabric which are now discernible, would lead to the conclusion that it was designed for a place of religious worship; and hence some have conjectured that it was the chapel of Theocus. That the humble edifice, which was erected by this pious recluse, might have stood near this spot, is highly probable; and perhaps for a long period subsequent to the completion of Fitz-Hamon's noble structure, a chapel remained there for the use of the inhabitants of the town. If this opinion be admitted, the building must have fallen into decay prior to the dissolution of the monastery; for, when Leland wrote his Itinerary, "ther was no other paroche chirch yn the town but the weste ende of the abbay chirche."*—Some persons imagine it to be the remains of the Jew's synagogue, but that is by no means probable.

* Lel. Itin. vol. vi. p. 90. edit. 1769.

CHAPTER XIX.

REPRESENTATIVES IN PARLIAMENT.

THE privilege of sending representatives to parliament was first granted to Tewkesbury by the charter of King James the first, in 1609, and the right* has been uniformly exercised from that time to the present, with the exception of a short period during the usurpation of Cromwell. No borough can with greater propriety be denominated an independent one. In few places is the general body of electors so respectable, and in still fewer open boroughs are they less prone to change their representatives, after their election has been once decided. “ The right of election is in the freemen at large,† and in all

* To send burgesses to the king’s parliament was not in ancient times counted a privilege, but a burthen, because it was an expense to the burghs ; for when they sent burgesses, they were liable to pay them wages to bear their charges.—*Maddox’s Collections*.

† The freedom of the borough is acquired by election, birth, and servitude.—The body corporate, assembled in common council, have a right to give the freedom of the borough to an unlimited number, though they usually confine themselves to four in a year—the bailiffs each nominating two. This is not invariably the case, as the honour is sometimes conferred upon such individuals as may, for any public services, appear to merit such a mark of distinction.—The eldest son of a freeman, born subsequently to his father’s admission, is entitled to the freedom on his father’s decease ; but if such son should die before his father, the right does not devolve to any other son.—Persons who serve a seven years’ apprenticeship to a freeman, and reside during the whole period within the borough, under an indenture executed in the presence of one of the bailiffs and the town-clerk, and registered in the town-clerk’s book of enrolment, are entitled to their freedom on the expiration of their apprenticeship. Those also who are apprenticed to the widow and executrix of a freeman, carrying on her deceased husband’s business within the borough, in case the indentures are properly executed and enrolled, are similarly entitled. Nathaniel Hartland, esq. was admitted to his freedom, from his having thus served an apprenticeship to his mother, who was the widow and executrix of a freeman.

persons seized of an estate of freehold, in an entire dwelling-house,* within the ancient limits of the borough;†" who, in the whole, probably amount to about six hundred voters. The bailiffs are the returning officers. The representatives are elected in the town-hall; but in cases of opposition, after the business has been opened in the hall, the polling is adjourned to temporary hustings in front of the building.

Immediately after the granting of the charter, in 1609, a writ was issued, and Sir Dudley Digges, knight,‡ and Edward

* The proprietor of a freehold in Tewkesbury has the privilege of voting for representatives of the county of Gloucester, as well as for members for the borough.

† The ancient limits of the borough are defined in Queen Elizabeth's charter. The description of them, in that document, is not now very easily understood, in consequence of the changes which have been made in the names of places, and of the removal of some of the objects which served as landmarks at that period. The select committee of the house of commons, when they determined the right of election, in 1797, appear to have had in view the definitions given in this charter. The whole of the Oldbury Field and Meadows, the Grove and Rail's Meadows, Gloucester-Place, the Severn Ham, the Lilly Croft, Allard's Garden, and various other places, were therefore, on that occasion, evidently considered as not being within the ancient limits of the borough. No persons at that time felt aggrieved by the decision, there being then no dwelling-houses built upon any of the commonable lands; but as there are now numerous tenements erected in the Oldbury, it may be a subject for investigation with a future election committee, whether the liberty of voting should or should not be extended to all the proprietors of freehold dwelling-houses within the borough. If such an extension were permitted, the number of electors would be considerably enlarged.

‡ Sir Dudley Digges, (eldest son of Thomas Digges, and grandson of Leonard Digges, both very eminent mathematicians,) was born in 1583, and entered a gentleman commoner of University College, Oxford, in 1598. Having taken the degree of B. A. in 1601, he studied for some time at the inns of court, and then made a tour of the continent, having first received the honour of knighthood. In 1618 he was sent by James the first as ambassador to the emperor of Russia; and, two years afterwards, was dispatched on an important mission to Holland. While member for Tewkesbury, in the third parliament of James the first, he was so little compliant with the court measures, as to be ranked among those whom the king denominated "ill-tempered spirits." In the first parliament of Charles the first, he not only joined with those distinguished patriots who endeavoured to bring Villiers, Duke of Buckingham, the king's great favourite, to justice, but was indeed one of the most active managers in that affair, for which he

Ferrers, esq.* were chosen the first representatives for Tewkesbury, and retained their seats during the remaining five years of the first parliament of King James the first.

The following is a list of the representatives, from that period to the present :

1614.—Sir Dudley Digges, knight.

Giles Brydges, esq.†

1620-1.—Sir Dudley Digges, knight.

Giles Brydges, esq.

1623-4.—Sir Dudley Digges, knight.

Sir Baptist Hickes, bart.‡

was committed to the tower. In 1636 he was appointed to the honourable office of master of the rolls, and died in 1639. His death, as his epitaph expresses it, was “reckoned by the wisest men among the public calamities of the times.” He was buried at Chilham, Kent, in which parish he had a fine estate, and where he built a noble house. Sir Dudley was author of several political and other works; he was a worthy good man, and, as Philipot beautifully observes, “a great assertor of his country’s liberty in the worst of times, when the sluices of prerogative were opened, and the banks of the law were almost overwhelmed with the inundations of it.” An original picture of Sir Dudley Digges, by Cornelius Jansen, is in the collection of John Edmund Dowdeswell, esq. at Pull Court.

* Mr. Ferrers was the eldest son of Roger Ferrers, esq. of Fiddington, near Tewkesbury, and brother of Wm. Ferrers, esq. the benefactor to the free grammar school.

† Mr. Brydges is thought to have been the eldest son of Sir Giles Brydges, bart. of Wilton Castle, and brother to Charles Brydges, esq. who for a long period resided at the Mythe, and died there in 1669.

‡ Sir Baptist Hickes, bart. “that mirror of his time,” was created Viscount Campden by Charles the first, in 1628. He was a great mercer in London at the accession of James the first, and acquired so large a fortune, principally by supplying the court with silks, that he left his two daughters £100,000 each. He built a large house in St. John’s-street, for the justices of Middlesex to hold their sessions in; this, although it is now demolished, still gives to the sessions-house the name of Hickes’s-Hall. In Campden church, Gloucestershire, is a stately altar tomb, on a raised slab of black marble, with the effigies recumbent of Viscount Campden, and his lady, in their robes of state, and coronets; the canopy is supported by twelve pillars of Egyptian marble, and finished with pediments and tablets. The following is part of the inscription on one of the tablets:—“To the memory of her dear deceased husband, Baptist Lord Hickes, Viscount Campden, born of a worthy family in the city of London, who, by the

1625.—Sir Dudley Digges, knight.

Sir Baptist Hickes, bart.

1625-6.—Sir Dudley Digges, knight.

Sir Baptist Hickes, bart.

1627-8.—Sir Baptist Hickes, bart.

Sir Thomas Culpepper, knight.*

1640.—Sir Anthony Ashley Cooper, bart.†

Sir Edward Alford, knight.

blessing of God on his ingenious endeavours, arose to an ample estate, and to the aforesaid degree of honour ; and out of those blessings disposed to charitable uses, in his life time, a large portion, to the value of £.10,000 ; who lived religiously, virtuously, and generously, to the age of seventy-eight years, and died Oct. 18, 1629.” His lordship left, by will, considerable property to charitable purposes, particularly to the poor of Campden and Tewkesbury.

* Sir Thomas Culpepper was lord of the manor of Hasleton, near Northleach, where he had a considerable estate. One Thomas Culpepper was knighted at the coronation of James I. July 23, 1603 ; and another Thomas was similarly honoured, on the 14th of March following : one of these was author of several political tracts.

† Anthony Ashley Cooper, first Earl of Shaftesbury, was son of Sir John Cooper, bart. of Rockborn, in the county of Southampton, where he was born in 1621, and was perhaps the most singular character of the age and country in which he lived. He was sent to Oxford at the age of fifteen, and admitted a gentleman commoner of Exeter College ; after close attention to his studies there for about two years, he removed to Lincoln’s Inn, where he applied himself with great vigour to the study of that part of the law which related to the constitution of the kingdom. He was elected member for Tewkesbury, when only nineteen years of age, in the short parliament which met April 13, 1640. At the commencement of the civil wars, he was with the king at Oxford ; he afterwards deserted his majesty, accepted of a commission from the parliament, and, as Clarendon says, “ became an implacable enemy to the royal cause.” He was a member of the convention which met after Cromwell had dismissed the long parliament ; he was again in the senate in 1654 ; and was one of the principal persons who signed that famous protestation, which charged the protector with tyranny and arbitrary government. When Richard Cromwell was deposed, and the Rump came again into power, Sir Anthony was appointed one of their council of state, and a commissioner for managing the army ; yet he was, at that very time, engaged in a secret correspondence with the friends of Charles the second, and was greatly instrumental in promoting the restoration of that monarch. He was member for Dorsetshire, in what was called the “ healing parliament,” which sat in April 1660, and was one of the twelve members appointed by the house of commons to carry their

1640.—Sir Robert Cooke, knight.*

Edward Stephens, esq.†

At the election of members for this parliament, by historians called the “long parliament,” which met Nov. 3, 1640, four persons were returned for this borough, viz. Sir Edward Alford, knight, and John Craven, esq. (who was created Lord Craven, of Ryton, Salop, Mar. 21, 1622,) in one indenture, and Sir Robert Cooke, knight, and Edward Stephens, esq. in another indenture. A committee was immediately afterwards appointed to investigate this double return; upon the

invitation to the king. On his majesty's arrival in England, he was sworn a member of the privy council, and was also one of the commissioners for the trial of the regicides. He was soon afterwards made chancellor and under-treasurer of the exchequer, and a commissioner of the treasury. In 1672, he was created Earl of Shaftesbury, and in the same year was raised to the post of lord high chancellor. The seals were taken from him in the following year: and he was sent to the tower in 1677, with the Duke of Buckingham, the Earl of Salisbury, and Lord Wharton, where he remained thirteen months; yet, on a new privy council being formed, in 1679, he was appointed lord president. He held this employment only a few months; having drawn upon himself the hatred of the Duke of York, by steadily promoting, if not originally inventing, the project of the exclusion bill, the duke soon contrived to make him feel the weight of his resentment. His lordship was apprehended for high treason, in 1681; he was again committed to the tower, but after four months confinement, was tried and acquitted. His enemies at that time being in the zenith of their power, he prudently consulted his own safety by retiring into Holland, where he died a few months afterwards, of the gout in the stomach, in his sixty-second year.

* Sir Robert Cooke, was a colonel in the service of the parliament, had the command of Tewkesbury in 1643, and resided at Highman Court, near Gloucester. His eldest son, William, was at first in the king's army, but afterwards sided with the parliamentarians: there is a portrait of the latter, in armour, in the *Bibliotheca Gloucestrensis*, (engraved from an original drawing in the possession of Sir Berkeley William Guise, bart.) representing him in the act of hewing his cocked or triangular hat into a round one.

† Mr. Edward Stephens, and his brother John, were members of the committee appointed by the parliament for sequestrating the estates of the royalists, and also committee-men named in the act for the punishment of scandalous clergymen and others in the county of Gloucester; they were likewise tools of that assembly at the period when money was forcibly raised in the county for administering the covenant and removing all scandalous ministers and schoolmasters, and for carrying into effect the other arbitrary measures of parliament.

recommendation of this committee, the house of commons resolved, that neither of the members should take their seats until the election was determined; and agreed, that Mr. Thomas Hale, one of the bailiffs of the borough, should be sent for, by the serjeant at arms, as a delinquent, for his conduct respecting such double return. He was in consequence taken to London, and detained in custody for nearly a month. The House subsequently declared the election to be totally void, ordered a new writ for the borough, and recommended the committee to prepare a bill to prevent inconveniences at elections at Tewkesbury in future; it does not appear that this recommendation was carried into effect. At the second election, a double return was again made: the bailiffs under their seal, returned Sir Robert Cooke and Sir Edward Alford, knights, and the inhabitants returned Sir Robert Cooke, knight, and Edward Stephens, esq. Another parliamentary committee was appointed, in 1643, when the election of Sir Edward Alford was declared void, in consequence of his having previously taken his seat as member for Arundel; and the House afterwards "commanded the clerk of the crown to appear at the bar, and there to take off the writ from the indenture returned by the bailiffs, and to fix it to the indenture returned by the inhabitants."* In a MS. book, belonging to the Tewkesbury Feoffees, is the following entry, made in 1640. "The 3rd Nov. the parliament began, and we had great difference about our burgesses, two being returned by one bailiff and two by another; and so the election was quashed, because we admitted some that we should not to give voices, and not resolved whether that election should be by freemen only or all that inhabitate, (except almsmen.)" At the latter end of the year 1645, John Craven, esq. member for Tewkesbury, was "expelled the House, for deserting the parliament and going to the king."† He must have been a son of Lord Craven,

* Journals of the House of Commons.

† Perfect Occurrences.—Mr. Craven was probably a member of the noble family of Craven, who were devoted to Charles the first.

and perhaps elected on the death of Sir Robert Cooke, which happened in the August preceding. John Stephens, esq. at one period of the long parliament, sat as member for Tewkesbury, having been returned in the place of his brother Edward, who died in Dec. 1643.

1653.

Cromwell, having rudely broken up the "long parliament" on the 20th of April, 1653, took immediate steps to supply its place with a legislative assembly of his own construction. With the concurrence of his council of officers, he nominated one hundred and forty-four persons—one hundred and twenty-two for the English counties and cities, six for Wales, six for Ireland, and five for Scotland: Lambert, Harrison, Disbrowe, Tomlinson, and Cromwell himself, completing the one hundred and forty-four. In this convention, called by Hume, "Barebone's parliament," but more frequently designated "the little parliament," which assembled on the 5th of July, 1653, and was dissolved by the army on the 12th of December following, no members were returned for Tewkesbury.

1654.—Sir Anthony Ashley Cooper, bart.

This convention, which assembled on Sunday, Sept. 3, 1654, was found so unmanageable, that Cromwell suddenly dissolved it on the 22d of January following, and took the government into his own hands. Sir A. A. Cooper was chosen for this borough, but being also returned for Wiltshire, he made his election for that county; in his place, Francis St. John, eldest son of the Lord Chief Justice St. John, was elected for Tewkesbury, but, it is said, never took his seat. Only one member was returned for Tewkesbury in this or the following parliament.

1656.—Francis White, esq.*

In the third protectorate parliament, which met Sept. 17, 1656, and was dissolved Feb. 4, 1658, Valentine Disbrowe, esq.

* Mr. White, who is described as "of the city of Westminster," was a colonel of foot in the republican army. In a pamphlet, published immediately after Cromwell's sudden dissolution of this convention, entitled, "A

(a son of General Disbrowe, brother-in-law of Oliver Cromwell,) was first returned for Tewkesbury;* but Mr. White represented it during the greater part of this “mock parliament.”

1658-9.—Edward Cooke, esq.

Robert Long, esq.†

In this convention, called “Richard’s parliament,”‡ the Right Hon. John Thurloe, principal secretary of state during the protectorates of the Cromwells, who had been chief justice of the common pleas in the latter part of the reign of the unfortunate Charles, was chosen to represent this borough. He was also returned, at the same time, for the university of Cambridge, for the borough of Wisbech, and also for Huntingdon; he made his election for the university. Although the Secretary declined the honour intended for him by the electors

Narrative of the late Parliament, so called; with an Account of the Places of Profit, Salaries and Advantages which they hold and receive under the present Power,” it is said, that he received £.365 per annum of the public money. Many ludicrous instances of the puritanical austerities of the members of the Commonwealth conventions are narrated in “Burton’s Diary.” It was enacted, by one of Cromwell’s parliaments, “that a woman should not kiss her child on the Sabbath, nor fasting day; and that a man should not walk in his garden, or elsewhere, except reverently to and from meeting.” It was also proposed to prevent persons sitting or standing at their doors on the Sabbath-day, and this clause was rejected only by a majority of two votes. Tailors too were forbidden to sit cross-legged, it being deemed symbolic of popery.

* In the indenture between the sheriff of Gloucestershire and the bailiffs of Tewkesbury, on Disbrowe’s election, dated Aug. 5, 1656, is the following clause: “Provided, and it is hereby declared, that he shall not have power to alter the government as it is now settled in one single person and a parliament.”

† Mr. Long was nephew to Sir James Long, bart. of Draycot, Wilts, and succeeded to the title and estates in 1673; he was ancestor to the late unfortunate Mrs. Wellesley Pole Tilney Long Wellesley. In the *Mercurius Politicus* he is said to have been a major in the parliamentary army; though his uncle, Sir James, commanded a troop of horse in the service of King Charles, and is much eulogised by Aubrey.

‡ This convention assembled Jan. 27, 1658-9, and was dissolved April 22. The long parliament, or “rump,” was restored in May 1659; expelled October 13 following; again restored December 26; and finally dissolved March 16, 1660.

of Tewkesbury, it is not improbable that the two individuals who sat for this borough were nominated by him.*

1660.—Henry Capel, esq.†

Richard Dowdeswell, esq.

This is by some called the “convention parliament,” and by others the “healing parliament,” because it was sitting at the return of King Charles, and sanctioned his restoration.

* The following correspondence, respecting this election, is extracted from Thurloe's State Papers, vol. 7, p. 572 :—

“ A Letter from the Burgesses of Tewkesbury to Secretary Thurloe’.

“ Noble Sir,—We understand, that you are pleased so much to honour this poor corporation as to accept of our free and unanimous electing you one of our burgesses in the next parliament, and to sit a member for this place. Sir, we are so sensible of the greatness of the obligation, that we know not by what expressions sufficiently to demonstrate our acknowledgements; only at present we beseech you to accept of this for an earnest, that whomsoever you shall think worthy to be your partner, shall have the second election; and our real and hearty affections to serve and honour you whilst we are, as we shall ever strive to be,

“ Sir, your most humble and obliged servants,

“ E. Hatch,
“ Richard Dowdeswell,

“ Tho. Clarke, }
“ Tho. Jeynes, } Bayliffs.

“ William Willson,
“ John Carver.

“ Will. Neast, }
“ John Beach, } Justices.
“ Will. Hatton,

“ Tewkesbury, 17th Dec. 1658.”

“ Secretary Thurloe's Answer to the Burgesses of Tewkesbury.

“ Gentlemen,—I received yours of the 17th instant, and thereby a very great demonstration of your affection to me, having expressed your willingness not only to betrust your concernment in the parliament with me, but to have regard to my recommendation of him, whom you are to choose for your other burgesse. I heartily wish, that my ability to serve your corporation in the parliament, and elsewhere, were answerable to the good opinion you have of me. All that I can say is, that I shall endeavour, as I am obliged, to serve you faithfully, hopeinge you will doe yourselves more right in your choice of my partner, than you have in pitching upon me; knowinge you have many able gentlemen, both in the country and amongst yourselves, very fit for that trust. My Lord Disbrowe tells me, he hath propounded a worthy person, whose recommendation will make it necessary for me to make use of the liberty you have been pleased to give.

“ 31 Decemb. 1658.”

† Mr. Capel was made a knight of the Bath at the coronation of Charles the second, and in 1679 was appointed first commissioner of the

1661.—Sir Henry Capel, K. B.

Richard Dowdeswell, esq.

This was called the “pensionary parliament,” because it was discovered that many of the members received pensions from the court. Rapin observes, it may be judged how favourable it was to the king, since it continued almost eighteen years, on which account it was more justly called the “long parliament,” than that of 1640.—On the death of Mr. Dowdeswell, Sir Francis Russell, bart. was elected in his room, Nov. 1, 1673. From a letter of Mr. Hill, the town-clerk, then in London, addressed to “Mr. Thomas Jeynes, at his house in the Barton-street, Tewkesbury,” it appears that Charles Dowdeswell, esq. wished to obtain the vacant seat in the corporation interest; but that the Bishop of Worcester and many others had written to the Lord Chancellor on behalf of Sir Francis Russell. The friends of both parties used every effort to obtain the writ clandestinely from the chancellor; and Sir Francis kept a man and horse ready in London, for the purpose of conveying

admiralty and a privy councillor. He was a constant speaker on all important questions, and peculiarly distinguished himself in his opposition to the opinion of the judges, who had unanimously decided “that to print, or publish any news-books, or pamphlets of news whatever, is illegal; that it is a manifest intent to the breach of the peace, and the offenders may be proceeded against by law for an illegal intent.” His almost unvaried opposition to the views of the Duke of York, and the warmth with which he defended the principles of the bill for his exclusion from the throne, rendered him obnoxious to the court. In 1680, Sir Henry Capel, accompanied by Lord Russell, Lord Cavendish, and Mr. Powle, went to the king, and desired to be dismissed from their employment as privy councillors. Sir Henry then retired for some years from public life. In the first parliament of King William, he was again returned for Tewkesbury, and in 1692 was created a peer, by the title of Lord Capel of Tewkesbury. He was one of the lords justices of Ireland, in 1693, and died at Dublin, May 13, 1696, being then lord lieutenant of that kingdom. This distinguished nobleman was second son of Arthur Lord Capel, who in the civil wars defended Colchester with such bravery for the king, and was afterwards executed by the parliamentarians; he was brother to Arthur Capel, first Earl of Essex, who was first lord of the treasury to Charles the second, and afterwards accused of being concerned in the Rye House Plot, for which he was committed to the tower, where he was found murdered, on the morning of the trial of his friend and colleague, Lord William Russell.

it to Tewkesbury the moment it was sealed. His lordship, being apprised of his intention, and being "willing to do right to both parties," sent it unknown to them, by a special messenger, directed to the high sheriff of the county of Gloucester. Mr. Hill, in the epistle before alluded to, points out by what mode some additional freeholders may be made to serve Mr. Dowdeswell; he himself offers to convey some premises for that purpose, observing, "if 'twill do no good, 'twill do no harm:" and he finally expresses an ardent hope that, if possible, Mr. Jeynes "may make a good bargain for them all." The return, in 1673, is the first in which "freemen" are mentioned.

1678-9.—Sir Henry Capel, K.B.

Sir Francis Russell, bart.

1680.—The Right Hon. Sir Henry Capel, K. B.

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A little before this election, the old representatives granted to the electors a release of all demands for wages, &c.*

* The original document, from which the following is copied, is among the corporation records; it proves that members of parliament considered themselves entitled to wages from their constituents, at a much later period than has generally been supposed:—

"Know all men by these presents, That we, Sir Henry Capell, knight of the bath, and Sir Francis Russell, bart. Do hereby remise, release and for ever quitt claime unto the Bayliffs, Burgesses and Commonalty of the Burrough of Tewkesbury, in the county of Gloucester, and their successors, and to all freemen, inhabitants and landholders within the said burrough, All and all manner of wages, fees and stipends whatsoever to us due or payable, or which we or either of us may or ought of right to have or claime, of or from them or any of them, for or by reason of our sitting and serving in any parliament or parliaments as burgesses of the said burrough, so that neither we nor either of us shall not nor will att any time hereafter have, claime, challenge or demand any such wages, fees or stipends, or any part thereof; but thereof and therefrom and of and from all and all manner of action, suit and demand touching the same, are and shall be utterly excluded and for ever debarred by these presents. In testimony whereof, we have hereto putt our hands and seals, the xxiith day of February, Ao. re. Caroli sec. dei gra. nunc Angl. &c. &c. xxxiiitio. Ao. q. Dm. 1680.

FRAN. RUSSELL."

"Sealed and delivered by Sir Francis Russell, in presence of

"Robert Eaton, "Francis Lankett."

1685.—Sir Francis Russell, bart.

Richard Dowdeswell, esq.

King James the second, who appears never to have neglected an opportunity of abridging the elective franchise, by his charter, granted in 1686, made Tewkesbury a close borough: he not only confined the liberty of choosing representatives to the corporation, but reserved to himself in council the power of removing at pleasure every member of that body.

1688-9.—Sir Francis Russell, bart.*

Richard Dowdeswell, esq.

This convention met Jan. 22, 1688-9, agreeably to letters issued by the Prince of Orange, and was “turned into a parliament” at its first meeting after the accession of William and Mary.—This election was long and severely contested; the number of voters who polled amounted to about three hundred and fifty.

1689-90.—The Right Hon. Sir Henry Capel, K. B.

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Upon Sir H. Capel being raised to the peerage, in 1692, Sir Francis Winnington, knight,† was elected to succeed him in the representation of this borough.

* Sir Francis Russell, bart. who died in 1705, was the last male descendant of the respectable family of that name which had flourished at Strensham for nearly four hundred years. Sir Francis, in the year following that in which he was first elected for Tewkesbury, gave certain property near the church-yard and in Smith’s-lane, in trust, for the benefit of poor widows. Sir William Russell, the father of Sir Francis, was a zealous champion for the royal cause, and suffered greatly from the parliament army, who garrisoned Strensham. Sir William alone, of all the distinguished royalists in the county, was exempted from the benefit of the treaty for surrendering Worcester; he was forced to compound with the parliament committee for £.1800, besides £.50 a year out of his estate.

† Sir Francis Winnington was only son of Colonel Winnington, of Powick, and ancestor of the present baronet. He was born in the city of Worcester, in 1634, and being bred to the law, became so eminent in his profession, that he was made solicitor-general to King Charles the second, in 1664. He was a great sportsman, and would frequently ride on horse-back from London to Stanford, in Worcestershire, which was one hundred and twenty-five miles, in one day; this he continued to do until he was sixty-four years old. He was a firm defender of the liberties of his country in parliament, while he represented Worcester, Windsor and Tewkesbury. He was the first patron of the great Lord Somers, who lived with him several years as clerk in his chambers.

1695.—Richard Dowdeswell, esq.

Sir Francis Winnington, knight.

Sir Richard Cocks, bart. of Dumbleton, who was high-sheriff of Gloucestershire in 1692, and knight of the shire in three successive parliaments in the reign of King William, presented a petition to the house of commons against the return of Sir Francis Winnington. Sir Richard complained, that his opponent had threatened to turn those persons out of their houses who had voted for the petitioner, unless they withdrew their votes; that he had detained the town-book, and had been guilty of other undue practices.* It is supposed that this petition was withdrawn, as the House appears to have come to no determination on the case.

1698.—Richard Dowdeswell, esq.

Charles Hancock, esq.

1700-1.—Richard Dowdeswell, esq.

Edmund Bray, esq.†

1701.—Richard Dowdeswell, esq.

Edmund Bray, esq.

1702.—Richard Dowdeswell, esq.

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1708.—Richard Dowdeswell, esq.

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It is said that, until this election, no freeholders were permitted to vote, excepting those who possessed front houses in one of the three principal streets.

* Journals of the House of Commons.

† Mr. Bray resided at Great Barrington, in the county of Gloucester; his family, for many generations, possessed the fine estate which now belongs to Lord Dynevor.

‡ Mr. Ireton obtained the manor of Williamstrip, in the parish of Coln St. Aldwyn's, Gloucestershire, together with a good estate, by marrying the only daughter and heiress of Henry Powle, esq. speaker of the house of commons and master of the rolls, and privy councillor to Charles the second and William the third.

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1710.—Henry Ireton, esq.

William Bromley, esq.*

On the death of Mr. Ireton, in 1711, William Dowdeswell, esq. was elected in his stead.

1713-4.—William Dowdeswell, esq.

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On the death of Mr. C. Dowdeswell, in 1714, Anthony Lechmere, esq. was elected. Edward Popham, esq. of Tewkesbury Lodge, was a candidate, and petitioned against the return.

1714-5.—William Dowdeswell, esq.

Anthony Lechmere, esq.

Mr. A. Lechmere having vacated his seat, his brother, Nicholas Lechmere, esq.† was chosen in his place, on the 25th of June,

* Mr. Bromley was descended from the Chancellor Bromley, and resided at Upton-upon-Severn. He married Judith Hanbury, by whom he had an only daughter Judith, who married John, eldest son of John Martin, esq. of Overbury. Mr. Martin built the present mansion at Upton, restored to it the ancient appellation of Ham Court, and from him the present proprietor, Joseph John Martin, esq. is lineally descended.

† Nicholas Lechmere, esq. second son of Edmund Lechmere, esq. of Hanley Castle, was first chosen a representative in parliament for Appleby, in 1708; and for Cockermouth in 1710, 1713 and 1715. On the accession of George the first, in 1714, he was appointed solicitor-general, in the room of Sir Thomas Raymond; in 1717, he was promoted to the chancellorship of the Duchy of Lancaster; and, vacating his seat for Cockermouth, was chosen for Tewkesbury on the resignation of his elder brother. He was soon afterwards appointed attorney-general, and receiver-general of his Majesty's customs. In 1721, he was created Baron Lechmere of Evesham; and died of apoplexy, while at table, at the age of 52, in 1727. He was one of the managers in the trial against Dr. Sacheverell; moved the impeachment against the Earl of Derwentwater; was chairman of the committee appointed to draw up articles against the seven impeached lords; and prepared a bill for the attainder of several of the rebels. In 1720, a charge was brought against him of corruption, with breach of trust and duty as a privy councillor, &c. which the House declared to be frivolous and vexatious, and he was very honourably acquitted. He was esteemed a good lawyer, a quick and distinguished orator, and an able politician; he was of a proud, violent and unyielding disposition, but was much caressed and flattered by the Whig party, who showered honours upon him more perhaps out of fear than affection. In Swift's *Miscellanies*, is an admirable ballad, written by Gay, entitled "Duke upon Duke, or a ludicrous account of a quarrel between Lord Lechmere and Sir John Guise." Lord Lechmere is said to have assisted Sir Richard Steele in writing "The Crisis."

1717. In March following, the latter gentleman was re-elected, he having accepted a place of profit under his majesty. On Mr. Lechmere being raised to the peerage, the Hon. Thomas Lord Viscount Gage,* was elected, Oct. 25, 1721. He was opposed by George Reade, esq. who presented a petition against the return of Lord Gage, alleging that the bailiffs had objected to many legal votes tendered by the petitioner, and permitted great tumults and disorders in the town, which they refused to quell, and thereby prevented many other voters from polling for him; but the petition was afterwards withdrawn.

1722.—The Hon. Thomas Lord Viscount Gage.

George Reade, esq.†

1727-8.—The Hon. Thomas Lord Viscount Gage.

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In the first session of this parliament, Thomas Reade, esq. petitioned against the return; he renewed his petition in the second sessions; but eventually withdrew it.

1734-5.—The Hon. Thomas Lord Viscount Gage.

Robert Tracy, esq.‡

* The Hon. Thomas Lord Viscount Gage was of Castle Island, in Ireland, and eighth baronet. He was created Viscount Gage and Baron of Castlebar, Sept. 14, 1720; he married first Benedicta Maria Theresa, sole daughter and heiress of Benedict Hall, esq. of High Meadow, Gloucestershire, and by her had two sons and a daughter; he married secondly Jane Godfrey, widow of Henry Jermyn Bond, esq. His lordship was steward of the household to Frederick Prince of Wales; and was, in 1736, appointed governor of Barbadoes, as successor to Lord Howe; but as he did not vacate his seat in parliament, it is presumed that some circumstance occurred to prevent his entering upon that office. He was chairman of the committee appointed to enquire into the conduct of Sir John Eyles, as a trustee for the sale of forfeited estates; having been at great pains and trouble in that affair, and having acted with that honour, integrity and impartiality which becometh a patriot, he received the unanimous thanks of the House. His lordship died in 1754.

† George Reade, esq. was of Shipton, Oxfordshire; he was a colonel in the foot guards and brigadier-general of his majesty's forces. He was brother of Sir Thomas Reade, bart. of Tame, Oxfordshire.

‡ Mr. Tracy was eldest son of John Tracy, esq. of Stanway: he was a trustee for Georgia. On his father's death, in 1735, he succeeded to the family estates, and soon afterwards retired from public life.

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1734-5.—The Hon. Thomas Lord Viscount Gage.

Robert Tracy, esq.‡

* The Hon. Thomas Lord Viscount Gage was of Castle Island, in Ireland, and eighth baronet. He was created Viscount Gage and Baron of Castlebar, Sept. 14, 1720; he married first Benedicta Maria Theresa, sole daughter and heiress of Benedict Hall, esq. of High Meadow, Gloucestershire, and by her had two sons and a daughter; he married secondly Jane Godfrey, widow of Henry Jermyn Bond, esq. His lordship was steward of the household to Frederick Prince of Wales; and was, in 1736, appointed governor of Barbadoes, as successor to Lord Howe; but as he did not vacate his seat in parliament, it is presumed that some circumstance occurred to prevent his entering upon that office. He was chairman of the committee appointed to enquire into the conduct of Sir John Eyles, as a trustee for the sale of forfeited estates; having been at great pains and trouble in that affair, and having acted with that honour, integrity and impartiality which becometh a patriot, he received the unanimous thanks of the House. His lordship died in 1754.

† George Reade, esq. was of Shipton, Oxfordshire; he was a colonel in the foot guards and brigadier-general of his majesty's forces. He was brother of Sir Thomas Reade, bart. of Tame, Oxfordshire.

‡ Mr. Tracy was eldest son of John Tracy, esq. of Stanway: he was a trustee for Georgia. On his father's death, in 1735, he succeeded to the family estates, and soon afterwards retired from public life.

At this election, John Martin, esq. of Overbury, opposed the successful candidates: the numbers at the close of the poll were—for Mr. Tracy, 287; Lord Gage, 279; and Mr. Martin, 232.

1741.—The Hon. Thomas Lord Viscount Gage.

John Martin, esq.

1747.—The Hon. Thomas Lord Viscount Gage.

William Dowdeswell, esq.

1754.—John Martin, jun. esq.

Nicholson Calvert, esq.

Lord Gage, and his son, the Hon. Lieut.-Colonel Gage,* were candidates at this election, and presented a petition against the return. Lord Gage dying soon afterwards, his son obtained leave of the House to withdraw the petition, Jan. 1755. At the close of the poll, the numbers were—for Mr. Calvert, 252; Mr. Martin, 246; Lord Gage, 117; and Colonel Gage, 94. Immediately after the election, Lord Gage published a pamphlet, entitled “A Letter to the Gentlemen, Clergy, and others, Voters for the Borough of Tewkesbury:” this was a remonstrance on an illegal association of the electors to sell their votes to mend their roads.

1761.—Nicholson Calvert, esq.

Sir William Codrington, bart.

1768.—Nicholson Calvert, esq.

Sir William Codrington, bart.

1774.—Sir William Codrington, bart.

Joseph Martin, esq.

James Martin, esq. was elected in 1776, on the death of his brother Joseph. It appears that Nicholas Hyett, esq. of Painswick, was anxious that his son should have been returned for this borough at the general election in 1774.†

* He was the Viscount's second son, and was a general and commander-in-chief of his majesty's forces in North America. He died in 1788, leaving eleven children, of whom Henry became third Viscount Gage.

† A curious letter, on this subject, written to Mr. Barrow, (afterwards Sir Charles Barrow, bart.) of Highgrove, M. P. for the city of Gloucester, is in the possession of George Worrall Counsel, esq. who has, with his accustomed kindness, freely permitted a copy of it to be here inserted.

1780.—Sir William Codrington, bart.

James Martin, esq.

1784.—Sir William Codrington, bart.

James Martin, esq.

John Embury, esq. of Twynning, formerly of Lincoln's Inn, having without effect endeavoured to induce the corporation to nominate Thomas Dowdeswell, esq. or some other fit person, in lieu of Sir William Codrington, at length offered himself as a candidate. The polling continued two days, at the close of which Mr. Embury resigned, and the numbers were—Mr. Martin, 266; Sir Wm. Codrington, 210; and Mr. Embury, 150. Objections having been made, at the commencement of the election, to voters who had recently become possessed of tene-

When it is remembered that Mr. Hyett was recorder of the borough at the time he penned this letter, and that Mr. Barrow was then a member of the corporation, and succeeded Mr. Hyett in the recordership,—it appears tolerably evident that at least some of the members of the body corporate, at that period, were unable to withstand the temptation of a bribe; they certainly had feelings respecting the "purity of election" very different from those of some of their successors at the present time.

"To Charles Barrow, esq. Member of Parliament, Howard-street, London."

"Dear Sir,

"[Gloucester,] April 24th, 1774.

"The last conversation we had related to Glo'ster elections: excuse the liberty I take and trouble I give you in this. I am very desirous in any reasonable way that my son should get into parliament, as I think it would be the only way to settle him in England, and I believe he would endeavour after reputation if he was in the House. You know best what you design in regard to Glo'ster; but be that what it will, Mr. Guise would be a bar to my son's getting in there quietly. Pray had you and he any discourse on the subject before you left the country? I fancy he wanted to speak to you about it. My intentions in this to you relates not to Glo'ster, but to ask you if you know any thing from Mr. Dowdeswell relative to Tewkesbury; whether Sir Wm. is to come in there, and with whom. If they pursued their old schemes, and a certain sum would do, and that sum did not exceed £.1500, I should be willing to stretch as far as that; and I believe my son would be more likely to join in party matters with Dowdeswell and friends than perhaps I might: but he is not to be biassed by me; sons think themselves much wiser than their parents. As your stay may be short in town, I write; and if you can conveniently give me an answer, shall be glad, and will thank you for the trouble you take. I hope you are not the worse for your journey; and, with due respects, I am,

"Dear Sir, Yours very sincerely,

"NICH. HYETT."

ments, it was agreed that no freeholder should be allowed to poll unless the house for which he claimed the right had been conveyed twelve months before the time of tendering his vote. The returning officers, by the advice of Mr. Stratford, their counsel, adopted this resolution, in consequence of its being notoriously known that Sir Wm. Codrington had conveyed nearly one hundred and fifty houses, without any consideration money being paid, for the mere purpose of creating votes; and that Mr. Embury and his friends had by similar means obtained between fifty and sixty supporters. The usage, antecedent to this election, had uniformly been to admit all persons to vote in respect of their freeholds, without reference to the length of time they had possessed them.

1790.—Sir William Codrington, bart.

James Martin, esq.

In consequence of the death of Sir Wm. Codrington, in 1792, a strong contest was threatened. Wm. Dowdeswell, esq. then a captain in the guards, immediately declared himself a candidate; John Embury, esq. again came forwards; and the Rev. William Smith pledged himself for the appearance at the hustings of the late Peter Moore, esq. many years member for Coventry, whom he publicly announced as a “Bengal Nabob,” who would be content to expend the sum of £.20,000 or £.30,000, if he could apply it for the benefit of the electors of Tewkesbury. Mr. Moore himself subsequently canvassed the town; the society of Friends also introduced and supported Thomas Lloyd, esq. of Cilgwyn, Glamorganshire, a captain in the navy. The whole of the candidates however soon retreated, with the exception of Captain Dowdeswell, who was elected to succeed his venerable relative.

1796.—James Martin, esq.

William Dowdeswell, esq.

On this occasion, there were three candidates, besides the gentlemen returned, viz. John Embury, esq. who, as in a former instance, declined before the day of election; Peter Moore, esq. who had for some years been courting popularity among the lower classes of freemen and others; and Philip

Francis, esq. (son of Dr. Philip Francis, the translator of Horace and Demosthenes,) who had been one of the members in council for the government of Bengal: he was afterwards created a knight of the bath, elected M. P. for Appleby, and distinguished himself in parliament at the impeachment of Governor Hastings. Party feeling and animosity were carried to a very great excess at this election, and the effects were not speedily forgotten. The hustings were erected in front of the town-hall, and the polling commenced on Wednesday the 25th, and ended on Monday the 30th of May; four hundred and thirteen persons voted. The following were the numbers for each candidate: Mr. Martin, 296; Mr. Dowdeswell, 296; Mr. Moore, 168; and Mr. Francis, 100. Messrs. Moore and Francis insisted that no honorary freeman had a right to vote, and that the charter of the borough granted the privilege to the whole of the inhabitants who paid "scot and lot;" and upon the votes of the latter being rejected by the returning officers, the unsuccessful candidates presented a petition to the house of commons against the return. The petitioners contended that the right of election was in the bailiffs, burgesses and commonalty; meaning, by the word burgesses, such persons as were entitled to their freedom by servitude or copy; and, by the word commonalty, the inhabitant householders generally;*

* The petition of Peter Moore and Philip Francis, esqrs. stated, " That at the late election of members to serve in this present parliament for the borough of Tewkesbury, in the county of Gloucester, the petitioners being candidates were elected by a great majority of persons qualified by the constitution of the borough to vote, and ought to have been returned as the representatives of the said borough in parliament: but that the Rev. Joseph Robinson, clerk, and William Buckle, esq. the bailiffs of the said borough, presiding at the said election as returning officers, being particular friends of James Martin, esq. and Wm. Dowdeswell, esq. the only other candidates, conducted the poll with such undisguised partiality as to manifest previous combination and predetermination against the petitioners; and that thus, acting and confederating against the petitioners, and aided by Mr. Samuel Whitcombe, the private election agent of Mr. Martin, called in by the said bailiffs as their agent also, under the appellation of assessor, not bound by an oath or any other check whatsoever, they the said bailiffs admitted votes in favour of their said two friends which

and the sitting members stated that the right of election was in the freemen, and in persons seized of an estate of freehold in an entire dwelling-house within the borough. The committee negatived both these statements, and determined that the right of election was in the freemen at large, and in persons seized of an estate of freehold, in an entire dwelling-house, within the ancient limits of the borough. They also declared that the sitting members were duly elected; and that that part of the petition which related to the conduct of the returning officers was frivolous and vexatious.* It is said, that the committee were so equally divided in opinion, as to whether the right of election were vested in the freemen and the proprietors of freehold dwelling-houses or in the freemen only, that the casting vote of the chairman decided the question.—In this contest, freeholders were allowed to vote, without reference to the length of time they had been in possession, if they were *bonâ fide* purchasers of the houses for which they claimed the right; but in every instance the returning officers, by the advice of Mr. Whitcombe their assessor, required to be satisfied of the reality of the purchase.

In 1797, Christopher Codrington, esq. (now Sir C. B. Codrington, bart.) was elected in the room of his cousin,

they ought to have rejected, and rejected votes tendered in favour of the petitioners which they ought to have admitted; and that by such and divers other corrupt and illegal practices of the said returning officers, and of the said James Martin and Wm. Dowdeswell, esqrs. the said James Martin and Wm. Dowdeswell, esqrs. procured themselves to be returned by the said bailiffs, contrary to the truth, in defiance of the laws requiring free and fair election, in manifest violation of the rights of the electors, and to the great injury of the petitioners; and that the petitioners protested against the conduct of the said bailiffs, and declaredly with a view to ascertain the truth, and to avoid the necessity of troubling the House with an appeal, the petitioners solemnly demanded a scrutiny, while all parties were present and the public records at hand, as a certain means of averting much expense and trouble, but the said bailiffs positively refused it; and that the petitioners, thus unwillingly driven to resort to the justice of the House, humbly pray the House to take the premises into consideration, and to grant such relief as they shall appear to merit, and to do further therein as shall be thought meet."

* See Appendix, No. 34.

Colonel Dowdeswell, who had been appointed governor of the Bahama islands. He was opposed by Peter Moore, esq. one of the candidates at the prior election; George Tollet, esq. now of Betley Hall, Staffordshire; and William Dowdeswell, esq. the then recorder of the borough. The latter gentleman relinquished his pretensions before the day of election; and the others, who grounded their hopes of success in a great measure upon the supposed ineligibility of Mr. Codrington, soon gave up the contest. Mr. Codrington polled 134; Mr. Moore, 52; and Mr. Tollet, 11. Mr. Codrington's opponents asserted that he was in reality one of the bailiffs of the borough, and consequently a returning officer, although Mr. Jenkins ostensibly filled the situation; and Mr. Moore, on this ground, presented a petition to the house of commons complaining of an undue return. When the petition came before the select committee, appointed to investigate its merits, it was so evident, even from Mr. Moore's witnesses, that there was no foundation for the complaint, that his own counsel declined to proceed further than the second day; upon which the committee resolved, that Mr. Codrington was duly elected, and that the petition was frivolous and vexatious. Could Mr. Moore, on this occasion, have obtained a majority of freemen in his favour, it was his intention to have petitioned the House to set aside the decision of the committee on the last election, and to have confined the right of voting to freemen only. Previously to the arrival of the day fixed upon for this election, it was discovered that the bailiffs had, contrary to the provisions of the Act of 25 Geo. III. caused the proclamation to be made at too late an hour in the day; in consequence, the election was postponed, and application made to the House for another writ.*

* The following are the proceedings in the house of commons, Nov. 28, 1797, respecting the bailiffs of Tewkesbury having inadvertently issued the proclamation for an election at too late an hour:—

Mr. Bragge moved, that the precept and the return made by the bailiffs of the borough of Tewkesbury should be read. The latter stated, that the bailiffs, being ignorant of the clause in a late act of parliament, which

1802.—James Martin, esq.

Christopher Codrington, esq.

1806.—James Martin, esq.*

Christopher Codrington, esq.

orders the proclamation to be made between the hours of *eight* and *four* o'clock, had inadvertently caused the proclamation to be made between the hours of *five* and *six* in the afternoon. They could not legally issue another proclamation within the fixed period, and had not, in consequence, proceeded to an election. He desired that a precedent from the 1st of William and Mary should be read, which, he said, was so far analogous, that in that case there had been no election; and the House, after examining the returning officer at the bar, had decided that a new writ should be immediately issued. If the House now wished for a *viva voce* examination, the bailiffs of Tewkesbury were in attendance for that purpose. He was of opinion, however, that the return which they had made was fully sufficient. He then proceeded, in a long argument, to shew that the jurisdiction in this case was not taken out of the House by the 25th of Geo. III. That statute went only to enact the necessary regulation, in case the return was not declared, as in the memorable scrutiny for Westminster, for fifty-two days after an election. But in this case there had been *no* election. No appeal could be made to an election committee, because no man could come forward to state an *undue return*. He moved "That the Speaker should immediately issue his warrant for the election of a burgess to serve in parliament for the borough of Tewkesbury."—*Mr. Martin* seconded the motion.—*The Master of the Rolls* opposed the motion. He said, this was by no means a clear case. It would, in his opinion, be improper to issue a new writ on the allegations which had been made. It was *possible* that a claimant might come forward, stating that he had been duly elected; and that these men, who had made the return, were not the proper returning officers. He thought it more safe to leave an interval for this possible claimant, and therefore moved as an amendment, "That those who may question this return, should question the same within fourteen days from the return of the writ into the crown-office."—*Mr. Pitt* seconded and supported this amendment.—*The Speaker* doubted whether this amendment could be regarded as consistent with the standing orders of the House. These were read, and, after some further conversation, the motion was negatived, and the House adopted the amended resolution offered by the Master of the Rolls.—*The Speaker* thought it necessary to say, that though no charge of corruption, or of partiality, lay against the returning officers, yet their inadvertency or ignorance of the laws, was of itself a high breach of duty. It was necessary therefore to state, as a caution to others, that they had escaped from punishment only through the lenity of the House.

* Some particulars of the public life of Mr. Martin are inserted in the Appendix, No. 35.

Charles Hanbury Tracy, esq. of Todington, having been invited by a numerous body of electors to offer himself in opposition to Mr. Codrington, the Hon. Henry Augustus Berkeley Craven was induced to signify his intention of becoming a candidate, in case the peace of the borough were disturbed; and Walter Honeywood Yate, esq. proceeded to a canvas. Mr. Tracy declined to come forward, and the other gentlemen severally relinquished their pretensions before the day of election.

1807.—Christopher Codrington, esq.*

Charles Hanbury Tracy, esq.†

John Martin, esq. was a candidate, at this election, to succeed his worthy father; and great spirit was manifested by all parties during the contest. The polling continued for two days, at the close of which Mr. Martin very honourably retired. The numbers were—for Mr. Codrington, 229; Mr. Tracy, 220; and Mr. Martin, 124.

1812.—John Edmund Dowdeswell, esq.‡

John Martin, esq.

Previously to this election, Samuel Whitcombe, esq. of Gloucester, (who was shortly afterwards knighted by the Prince Regent,) avowed himself a candidate, in opposition to Charles Hanbury Tracy, esq. When the latter gentleman made public his intention of retiring from parliament, Mr. Whitcombe seized that opportunity of abandoning his views, which before this he had discovered could not be realized. He declared that, as he had accomplished his only object, which was the defeat of Mr. Tracy, he should not oppose the two new candidates. The friends of Mr. Tracy lost no time in publicly denying that he had been induced to resign in consequence of the threat of Mr. Whitcombe, though its improbability rendered a refutation thereof altogether unnecessary. When Mr. Codrington announced his determination not to offer him-

* For an account of the Codrington family, see Appendix, No. 36.

† A short pedigree of the ancient family of Tracy is given in the Appendix, No. 37.

‡ For a pedigree of the Dowdeswell family, see Appendix, No. 38.

self again to represent the borough, the body corporate, and a respectable party of the electors, severally voted thanks to him, "for the manly, upright and independent manner in which he discharged the studies of that important station during four successive parliaments." The numerous friends of Mr. Tracy also, on his secession, unanimously agreed, at a public meeting, to present him an address, and a piece of plate of one hundred guineas value, "as a small token of the respect and esteem which the electors of Tewkesbury will ever entertain of his determined and manly exertions to stem the torrent of corruption, and his zealous endeavours to check the wanton and lavish expenditure of the public money." A most elegant cup was accordingly presented, on the 30th of August, 1813, on which was engraven the following inscription: "To Charles Hanbury Tracy, esq. late M. P. for the Borough of Tewkesbury, the undaunted advocate of civil and religious liberty, as a token of respect, from his constituents."

1818.—John Edmund Dowdeswell, esq.

John Martin, esq.

1820.—John Edmund Dowdeswell, esq.

John Martin, esq.

1826.—John Edmund Dowdeswell, esq.

John Martin, esq.

CHAPTER XX.

HAMLETS IN TEWKESBURY PARISH.



THE MYTHE.

THIS name is considered, by many, to be derived from the Greek word *Μυθος*, which is supposed to signify remotely *a station*—the place being formed by nature for a strong military position. Rudge, in his *History of Gloucestershire*, says, “possibly the Saxon *Wýzha*, which signifies the boundary, the limit, or the termination of a place, may lead to a more easy solution, since the reference is simple and obvious to a tract of land gradually lessening between two large rivers, and at length completely inclosed at a point by their conflux.”

That the Mythe was a Roman station, there can be no doubt: from this spot, the Roman troops could not only perceive any signals which might be given from their encampments on the hills of Malvern, Bredon, &c. but here they were within view of a portion of the country peopled by the Silures, who occupied the banks and heights on the opposite side of the river. No situations indeed could have been so well selected as the Mythe and Towbury, for checking the incursions, and occasionally invading the territories, of that enterprising and valiant race, who for many years maintained the independence of a part of Britain against the skill and bravery of one of the most experienced of the Roman generals.

The tumulus, on the south side of the Mythe, was probably thrown up by the Danes, for the purpose of obtaining a more

extensive view of the country, and guarding against a surprise. There can be no doubt, however, that the different powers who invaded Britain, subsequently to the abandonment of it by the Romans, occasionally entrenched themselves at the Mythe; for, in the infancy of war, a small army might have defended itself against the attack of almost any number of forces, if they approached this post by any other route than from the north.

This delightful eminence, which is popularly called the *Tute* or *Toot*,* derives an additional interest from the repeated visits made to it by our late revered monarch, George the third, during his abode at Cheltenham in the year 1788.

A public footpath to Shuthonger Common anciently ran over the summit of this tumulus, and continued along the edge of the field to Paget's-lane; but for many years this road had been disused, and the right of way was exercised only as far as to the mount. When the turnpike-road was widened, in the year 1825, the path which led to the tute was destroyed, and the public were for a while deprived of their accustomed access to this charming eminence. The townspeople, at length, determined to assert their right of road from the foot of the Mythe Hill over the tumulus into Paget's-lane; upon which, the proprietor of the orchard, on the south side of the tute, agreed to yield up for ever a convenient footway; and the owner of the land, on which the mount is situate, stipulated that the public should continue to have access to it at all times. The inhabitants of the borough consented that the portion of the road, which led from the tumulus into the lane on the north, should be stopped up, and this was effected by an order of the magistrates, at the borough sessions in 1827. The expense of making the gravelled footway, and erecting stiles, steps and railing, was defrayed by a private subscription.

* Probably from *Teutates*, the Scandinavian Mercury, who was worshipped on the loftiest eminences.—Mr. Bowles, in his History of Bremhill, observes, "almost every British hill, whose steep declivities rather resemble the shape of an artificial mound than of an abrupt and natural hill, is called *toot* or *tout*, and *tout-hill*, quasi *teut*."

From this mount, which is gradually diminishing, from some portions of it occasionally rolling into the Severn, are from of the finest views imaginable :

“ Beneath us, in the soft and silent light,
 “ Spread the fair valleys ; mead, and flowery lawn,
 “ With their calm verdure interspers’d, allay
 “ The forest’s ponderous blackness, or retire
 “ Under the chequering umbrage of deep groves,
 “ Whose shadows almost slumber ; far beyond
 “ Huge mountains, brightening in their secret glens,
 “ Their cold peaks bathe in the rich setting sun.
 “ Sweeps through the midst broad Severn, deep and dark,
 “ His monarchy of waters, its full flow
 “ Still widening, as he scorn’d to bear the main
 “ Less tribute than a sea.”*

The manor of the Mythe belonged to the proprietors of the great lordship of Tewkesbury, until it passed from George Duke of Clarence and Anne Countess of Warwick to the crown. It was granted, by the name of Warwick’s Lands, to Thomas Lord Seymour of Sudely, 1 Edw. VI. After his attainder, it again reverted to the crown ; and was granted, together with the Mythe Hook, a meadow called Kingsmead, a fishery in the Severn and another in the Avon, to Daniel and Alexander Perte, 7 Edw. VI. The Mythe Wood, which was part of the possessions of the abbey of Tewkesbury, was granted to Sir H. Jerningham, shortly after the dissolution of the monastery. The lands at the Mythe are now divided among a number of proprietors ; and the manor is vested in the corporation of Tewkesbury.

The Mythe is situate about half a mile to the north of the town, on the road leading to Worcester and Malvern ; it is ornamented with the delightful seats of William Dillon, esq. Thomas Taylor, esq. Joseph Longmore, esq. Charles Porter, esq. Mrs. Platt, and Miss Taylor.

In this hamlet, there is a curious ancient stone structure, called “ the castle,” the property of J. H. Hampton, esq.

* Milman’s Samor.

which is traditionally said to have been one of the residences of King John, and from this circumstance some persons have erroneously called it Holme Castle. It is not improbable that the house was erected by one of the noble proprietors of the Tewkesbury estate; or by one of the abbots, as an occasional country residence. A late respectable antiquary* observes, "there is a similarity in the architecture to the abbot of Winchcomb's house; which leads to the supposition that the place in question might be the country lodging, or farm, of the superior of Tewkesbury." Some portions of the building are much more ancient than its exterior would lead a casual observer to imagine: the gable ends are comparatively modern; and it is evident that the structure was originally of far greater extent than it is at present.

There was formerly a chapel at the Mythe, but no traces of it remain. It might have been attached to the old dwelling-house above-mentioned.

SOUTHWICK AND THE PARK.

Southwick was parcel of the great manor of Tewkesbury in the time of William the Conqueror, and was taxed at three hides. Sir John Tracy was seized of the manor of Southwick, 37 Edw. III. at which period Robert le Pearl held lands there, and also at Gupshill. The manor subsequently belonged to the abbey of Tewkesbury; and at the dissolution was granted, together with lands called Gosebuts, to Thomas Stroud, Walter Erle and James Pagett. A close of land, in Southwick, called Panters, was granted to William Compton; and other lands, in the tenure of John Jones, were granted to John Pope, 36 Hen. VIII. Lands, called Culverhouse, in Southwick, were granted to Edward Cooper and Valentine Fairweather; other lands there, called Deerhurst Place, were granted to William and John Read; and lands called Walton Field, were granted to William Fitz-Williams and Arthur Hilton, 7 Edw. VI.

* James Peller Malcolm, esq. See *Gentleman's Mag.* June, 1818.

Tewkesbury Park and lands belonged to the Earls of Gloucester;* from them it passed to the crown, with the other possessions of the manor of Tewkesbury, and was long held under the king by the abbot and convent. From the time of the dissolution of the monastery, it remained attached to the crown until Queen Mary, in the first year of her reign, granted it to Sir Henry Jerningham and his heirs, under the title of "Tewxbury Park with its members," on payment of twenty shillings per annum to the crown for the tenths thereof.† The Jerningham family disposed of it to Richard Harford, esq. who sold it to Rowland Bartlett, esq. from whom it was purchased by Sir John Popham, knight, chief justice of the common pleas. From the Pophams it descended to the late John Wall, esq. lieutenant-colonel of the South Gloucester Militia, who was allied to the Pophams; at his death, it devolved to his eldest son, the present Robert Martin Popham Wall, esq. who, after serving under the Duke of York, in Flanders, was appointed lieutenant-colonel of the Oxfordshire Militia. Colonel Wall sold it to the Rev. Joseph Shapland, the present proprietor.

* "There is a parke bytwixt the old plotte of Holme Castelle and it [Deerhurst], but it longgid to Holme, the Erles of Glocester's house, and not to it. There is a fair maner-place of tymbre and stone yn this Theokeshyri Parke, wher the Lord Edward Spensar lay, and late my Lady Mary."—(*Leland*, vol. 6. p. 75. edit. 1769.) "The manor-place in Tewkesbury Park, with the park, was let by Henry the seventh to the abbot of Tewkesbury in fee farm, with the Holme where the castle was."—*Gough*.

† In Archdeacon Furney's MS. Extracts from the Records in the Registry of Gloucester, it is stated, that "John Wakeman, last abbot of Tewkesbury, being seised as in fee in right of his abbey of a close called Horn Hill, alias Wardun Hill, containing eight acres of pasture, lying in Tewkesbury parish, and belonging to that rectory, which, together with the abbey, on 20 Apr. 31 Hen. VIII. were surrendered to the king, and which continuing to the crown 'till the reign of Queen Mary, was by her, 20 Feb. regni primo, granted to Francis ——— and Henry ——— by virtue whereof it came to Henry Jerningham and John Popham, knight, chief justice of the common pleas. I believe this was sold by the crown to Henry Jerningham and Francis ———, and Henry being the survivor, sold the same to Popham; but the record is unintelligible. Popham possessor, 44 Eliz. All which, being part of the abbey possessions, were free from the payment of tithes."

The mansion, which is now denominated Tewkesbury Lodge, is, in Leland's Itinerary, called the "manor-place:" it is most delightfully situate on an eminence, about a mile from the town.

There was an ancient estate, called Gupshill, in this hamlet: it is now divided into two estates, each of which has a house of some antiquity upon it. One portion belongs to Edward Ransford, esq. and the other to the widow of John Wintle, esq. both of Bristol. In old documents this place is sometimes called Gopishull or Guppishill, and has frequently been confounded, from its similarity of name, with Gubberhill, an old house, surrounded by a moat, in the parish of Twynning. It evidently took its name from an early proprietor; and in the reign of Edward the first it is described as Gobe's Hall, and a manor within the manor of Tewkesbury.

A good estate, in this hamlet, is held by Mr. Edward Barnes, in right of his wife, the widow of Mr. John Dipper; and which, at her decease, will devolve to Sarah the wife of William Brown, esq. of Gloucester, niece and heiress of Mr. Dipper. Mr. Moses Yearsley has also a considerable estate, with a pleasant residence, at Southwick. Rudgway Farm is the property of John Cox Bower, esq. of Newent. The other principal proprietors of land, in Southwick, are the Right Hon. the Earl of Essex, the Rev. William Boughton of Blockley, John Gardner, esq. of Cheltenham, John Allis Hartland, esq. John Terrett, esq. Samuel Barnes, esq. and Miss Hartelbury.

It is said, that there was formerly a hermitage in the Windmill Hill, on the Lodge estate, but no particulars of it are preserved, nor is its precise situation remembered. Spenser, in his *Fairy Queen*, thus beautifully describes one of those humble retreats:—

" A little lowly hermitage it was,
" Down in a dale hard by a forest's side,
" Far from resort of people that did pass
" In travel to and fro."

In this hamlet stood Holme Castle, and here also was fought the memorable battle of Tewkesbury. There is a remarkably fine echo in the field called the Vineyard, to the southward of the abbey church.

It is recorded, that Walton-Cardiff was once a portion of the parish of Tewkesbury; and though we have no record to shew when or how they became disunited, there are certainly some reasons for concluding that the two parishes originally formed but one. From the early parish registers, it would appear that the inhabitants of Walton claimed right of sepulture at Tewkesbury; here their children were also christened, and their marriages solemnized. It is indeed probable that, until their present chapel was built by Foulk Read, esq. the then lord of the manor, in 1658, there was no religious edifice whatever at Walton. Sir Robert Atkyns, in his History of Gloucestershire, published in 1712, treats Walton as a distinct parish, and makes no allusion to its having ever been joined to Tewkesbury. It is however certain, when a parliamentary troop of horse was quartered upon "the parish of Tewkesbury," in 1648, that the hamlet of Walton-Cardiff maintained its quota, jointly with the town, Southwick, the Park, and the Mythe and Mythe Hook.* In the register of burials, belonging to Tewkesbury, is the following entry, made in 1681:—"Elizabeth, the wife of William Newman, of Walton-Cardiff, *in this parish*, buried in nothing made of or mingled with any material but sheep's wool, as appears by the oath of Susanna the wife of Richard Hall, of Walton aforesaid, and sworn before

* In 1647, a cause was entered at Gloucester assizes, respecting the refusal of the inhabitants of Walton-Cardiff to pay rates to Tewkesbury. In 1649, the bailiffs and some of the other members of the corporation, agreed to indemnify the church-wardens and overseers, if they should distrain upon any of the inhabitants of Walton-Cardiff for non-payment of the taxations to the poor of Tewkesbury. The dispute appears not to have been then finally set at rest, for, on the 30th of March, 1683, it was ordered by the common council, that the chamberlain should take the charter to the next Gloucester assizes, to be produced on a trial between Tewkesbury and Walton-Cardiff respecting payment to the relief of the poor."—*Corp. Rec.*

William Jennings, gent. junior bailiff." In the charter of King James the second, in 1686, Walton-Cardiff is expressly included within the borough of Tewkesbury, with this observation:—"be the same within or without the said parish." This would clearly imply that it had been at some time considered as forming a part of Tewkesbury. On similar grounds, the whole of the Mythe and the Mythe Hook, the former of which is attached to Tewkesbury and the latter to Twyning, is also supposed to have been formerly included in this parish.

In Parsons's manuscripts, in the Bodleian Library, it is said, "On an old roll, I find Forthampton, Tredington and Fiddington, to be in the parish of Tewkesbury."

CHAPTER XXI.

ROADS AND BRIDGES.



IT has been observed, that the condition of the public roads of a nation forms a tolerable criterion from which its state of civilization and prosperity may be determined; wheresoever the roads are dangerous, the operations of trade will be impeded, the value of land depreciated, and friendly intercourse straitened. The science of road-making has been little understood among the moderns, until within a comparatively recent period. The Romans were the most perfect masters of this useful art among the ancients; yet it has been noticed, that their roads “appear not to have been constructed upon the most perfect principles, in general.”*

Although the roads which were made by these invaders in this country were much superior to any which previously existed here, still it must be inferred that our British progenitors, who were “so familiarly acquainted with the use of chariots, and engaged in commercial pursuits, which rendered necessary a correspondence between the interior parts of the country and the coast, could not be destitute of roads, so carefully amended as to assume a permanent character.”† That such roads were indeed found by the Romans, on their arrival in Britain, has been invariably admitted by those who have most accurately investigated the subject.

The Ryknield-Street, one of the most extensive and important of the British roads, which began at the mouth of the

* Whitaker's History of Manchester.

† Introduction to the Beauties of England and Wales.

Tyne, and continued its course into South Wales, is said to have run through Tewkesbury.*

According to a very excellent map of the "Towns and Trackways in Britain, as they existed at the first invasion of Cæsar," by that learned and ingenious antiquary, the late Rev. Thomas Leman, of Bath,—the Western trackway, which commenced on the coast of Devon, after passing through Exeter and Bristol, ran on the eastern bank of the Severn, from *Glevum* (Gloucester) to *Branogena* (Worcester), and consequently must also have gone through or near Tewkesbury.

The Romans, in forming their roads throughout the island, generally adopted the trackways of the British; it has therefore been said, that their principal road from the south of Wales to the north of England passed through this place, in the line

* In the Rev. Thomas Leman's Commentary on the Itinerary of Richard of Cirencester, published in Mr. Hatcher's admirable edition of that work, the following is described as the course of this celebrated British trackway: "Ryknield-Street, or Street of the Upper Iceni, said to begin at the mouth of the Tyne, ran by Chester-le-Street, to Binchester, where it joined the Watling-Street, and continued with it to Catterick; then, bearing more easterly, it ran with the present great northern road to within two miles of Borough Bridge, where it left the turnpike to the right, and crossed the Eure to Aldborough; from thence it went to Coptgrave, Ribston, Spofforth, through Stokeld Park, to Thorner, Medley, Foleby, Bolton, Graesborough, Holme, Great Brook near Tretown, Chesterfield, Alfreton, Little Chester, Egginton, to Burton, and Wall (where it crossed the Watling-Street); thence through Sutton Colfield, to Birmingham, King's Norton, Alcester, Bitford, Sedgebarrow, Tewkesbury, Gloucester, Lidney, Chepstow, and probably by Abergavenny, Brecon, Landilo, and Carmarthen, to St. David's."—In the Introduction to the Beauties of England and Wales, Mr. Leman has substituted Berry Hill, Herefordshire, for Lidney and Chepstow.—In Gale's Essay on the four great Roman Ways, in the sixth volume of Leland's Itinerary, it is said, that part of the Ryknield-Street "is still extant in the counties of Gloucester, Worcester, Warwick and Stafford. In Warwickshire it is hardly lost through the whole county; and from Bidford, on the southern edge of it, it runs into Worcestershire, and taking its course through South Littleton goes on a little to the east of Evesham, and then by Hinton and west of Sedgebarrow into Gloucestershire near Ashtou-under-Hill, and so by Beckford, Ashchurch, and a little east of Tewkesbury through Norton to Gloucester, from whence in all probability it went to Oldbury, where formerly was the ferry or trajectus over Severn towards Caer-Gwent."

of the Ryknield-Street. As, however, the invaders are known to have frequently shortened the distances in the roads of their precursors, by lopping off many of the circuitous lines and corners, it has been supposed, by some writers, that the Roman way from Gloucester to *Ad Antonam*,* a lost station on the Avon, was made to run a little to the eastward of Tewkesbury, coming into the present Evesham road about Ashchurch;† others have supposed that it ran near to Cheltenham and Winchcomb, in its way to the passage over the Avon.‡

The Roman Road, mentioned in the tenth iter of Richard of Cirencester, which was formed in the line of the Western trackway of the British, and ran from Exeter to Inverness, is supposed also to have gone through Tewkesbury.§

It appears to be generally admitted, that the Western trackway of the British, and the Roman road which led from Gloucester to Worcester, ran through Tewkesbury;|| but it is tolerably evident that the Ryknield-Street did not pass through the town, though it came into the parish. The ancient road from Gloucester perhaps went somewhat to the westward of the present one, at Deerhurst Walton, and passing along the low lands, towards Notclift and Whitefield, crossed the Hoo-lane, about three hundred yards from the present Tredington turn-

* Dr. Stukeley explains the *Ad Antonam* of the Romans to be Evesham, but it is more generally believed to have been near Sedgebarrow.

† Nash's Worcestershire.

‡ Fosbroke's Gloucester.

§ Dr. Stukeley observes, that there was a road near the Severn, from Worcester to Upton, where antiquities have been dug up, and he conceives the town to be the *Upocessa* of Ravennas; this road, he asserts, continued to Tewkesbury, where it joined the Ryknield-Street. A ford over the brook, which divides Twynning from Ripple, on the present Worcester road, was called Street or Strat-Ford; and the bridge there is to this day called Stratford-bridge. "Sarn, Street, Stane and Stone (Strat and Stan when compounded) generally shew the course of a British or Roman way."—*Leman's Comm. on Richard of Cirencester*.

|| Some remains of a Roman residence were recently discovered on the estate of Mrs. Hill, at the Leigh, adjoining the turnpike-road, about midway between Tewkesbury and Gloucester.

pike-gate. It then might have gone, in a straight line, near the farm-houses at Southwick, to Lincoln's-Green; it afterwards veered to the eastward, through Gupshill, passing within a short distance of Queen Margaret's camp, near which it united with the old road from Cheltenham to Tewkesbury. It crossed the Swilgate brook, at a ford which is to this day known by its original appellation of Prest bridge, (from the Saxon *pneort*, priest,) and proceeded to Rudgeway, (which is a common name for a British trackway;) from thence it ran to Walton-Cardiff and Newton, where it united with the present Evesham road, about two miles eastward of Tewkesbury. It then went to Beckford, Ashton-under-Hill, and across the Avon at or near Sedgebarrow.

Greater improvements have been made in the public roads generally, within the last fifty years, than had perhaps been effected in several preceding centuries; and the beneficial effects arising from these improvements are now universally felt and acknowledged.

Turnpikes were first erected in England soon after the Revolution. The first act for the repair of roads, in this county, was passed in 1698, and very few road acts were passed earlier. Previously to that period, many of the highways were impassable with wheel carriages; and pack-horses were chiefly employed in the conveyance of merchandize and agricultural produce.*

When turnpike-tolls were first demanded, the lower ranks of the people evinced great opposition to the measure, and a number of persons in various parts of the country were executed for pulling down gates and ill-treating the toll collectors. Several men were hung at Gloucester, about the year 1734, for destroying turnpikes near Tewkesbury; and three others were condemned at Worcester Lent Assizes, in 1736, for similar conduct in the neighbourhood of Ledbury.

* The farmers in the neighbourhood of Bishop's Cleeve and Gotherington, even within the last fifty years, were compelled to bring their corn into Tewkesbury market on the backs of horses—their roads being wholly impassable with waggons or carts.

The spirit of improvement, in this particular district, began to manifest itself about the year 1725;* when the first act of parliament was obtained for repairing and widening the roads leading into and from the town of Tewkesbury.† Another act was obtained, with additional powers, in 1756;‡ and at that

* At a parish meeting, Jan. 23, 1725, it was resolved, that Mr. Conway Whithorn and Mr. Isaac Snook should be employed to solicit parliament for an act to repair the roads; if the bill succeeded, they were to be paid their expenses out of the benefit of the act, and if it miscarried, they were to be paid by the parish.—*Church-warden's Books*.

† Considerable opposition was made to this bill, particularly by Richard Dowdeswell, esq. of Forthampton, who presented a petition against it to the House, “setting forth that he had a passage or ferry over the Severn, called the Lower Lode, let for sixty pounds per annum, and prayed to be heard by council against the bill, which was granted.”—*Journals of the House of Commons*. Mr. Dowdeswell appears to have had sufficient influence to get a clause introduced into the act, for exempting from turnpike-tolls all persons who crossed the Lower Lode Ferry, in their way to or from Tewkesbury. At that period, there was a bridle-road through Deerhurst to Gloucester, called the “lower way,” which was directed by the act to be repaired by the trustees of the roads; and on account of the heavy expenses to which the inhabitants of Deerhurst were subject, in keeping the banks of the Severn in repair, in order to prevent this bridle-road from being overflowed, they were exempted from toll at the gates erected upon such “lower way.”

‡ The following is the produce of the tolls on the Tewkesbury District of Roads, from June 19, 1760, to June 25, 1761, and is curious when contrasted with the present rental:—

Mythe	£.75	18	0½
Mitton and Bredon	72	15	5½
Barton-Street	322	2	11½
Hermitage	97	18	7½
Lower Lode	13	14	9½
Knightsbridge	65	18	9½
	<hr/>		
	£.648	8	7½

At the letting of the tolls, Aug. 20, 1829, they produced the following sums:

Mythe, Ryall and Strensham Gates.....	£.1320
Mitton and Bredon	266
Crashmore	96
Barton-Street and Isabel's Elm	550
Todington.....	170
Woolstone.....	280
Hermitage and Lower Lode	1180
Knightsbridge	905
Birlingham	76
	<hr/>
	£.4843

time the utmost efforts were made by the trustees to bring the roads into a complete state of repair.* Several other acts for the furthering of this desirable object were passed during the long reign of George the third; the present road act was obtained in 1826.

The roads in the Tewkesbury district have long been distinguished for their excellence. Great part of the stone, which is used in repairing them, is brought by water from the quarries in the vicinity of Bristol; the durability of this material more than compensates for the great expense which attends its conveyance from so great a distance. The pebbles, which are obtained from the gravel pits in the neighbourhood, are an admirable auxiliary to the Bristol stone; and to a suitable admixture of these materials may be attributed the unrivalled state of the roads around the town.

The road leading from Tewkesbury towards Gloucester has, within a few years, not only been shortened, by cutting off many of the angles, but some of the hills have been avoided, and others rendered less dangerous. In 1827, the hill near the Hermitage turnpike, was lowered; and by removing the extreme corners of the garden attached to the house of industry, and placing the hedge in the Gaston field further back, the road was much widened for a considerable distance.

The Worcester road has been recently widened in those parts which were before too confined, and also rendered much less circuitous.† A most important alteration was made in 1825, by lowering and widening the Mythe Hill—a measure which had long been contemplated, and which would earlier have been effected, if the finances of the trustees had been sufficiently flourishing.

* John Martin, esq. one of the representatives for the borough in parliament, gave £.2000, and Nicholson Calvert, esq. the other representative, gave £.1500, towards the reparation of the roads.

† Until within a few years, this road branched off to the eastward, a little beyond Shuthonger Common, passed through the centre of the village of Twyning, and from thence returned to Bockeridge Common—making a circuit of three times the distance of the present direct line.

In the year 1777, a sum exceeding £.300 was subscribed by individuals, residing in the town and neighbourhood, towards the reparation of the Ashchurch road, which had been so long neglected, that it had become almost impassable. To this sum, James Martin, esq. M. P. added £.500, and John Martin, esq. of Ham Court, £.100.

In 1792, many of the principal landholders, gentlemen and yeomen, in the vicinity of Tewkesbury, formed themselves into a "road-club," with a view to effect a general improvement in the turnpike and bye-roads. By instructing surveyors in their duty, and strictly compelling parishes and individuals to discharge their respective obligations, the efforts of this society were attended with very beneficial results.

In 1825, application was made to parliament for powers to form an entirely new line of road from Tewkesbury to Cheltenham, to commence either at the market-house or at the Bull-ring, and to proceed in nearly a straight direction through Tredington, Stoke Orchard, and Swindon, terminating at Pittville, Cheltenham. The commissioners of the roads, at Tewkesbury and Cheltenham, feeling themselves bound to protect the interests of the mortgagees on their respective trusts, strenuously opposed the measure, and the bill was thrown out. In the ensuing session of parliament, the Tewkesbury trustees obtained an act, empowering them to make a new branch of road from Gupshill to Elmstone Hardwick; at which place the Cheltenham trustees have engaged to meet them, as soon as they can obtain an act for that purpose. Should this project be accomplished, the distance will certainly be shortened; but whether advantages will be gained sufficient to compensate for the heavy expense, is more than doubtful.

The bye-roads, within the parish, are kept in better condition than those of most other places; yet, if the repairs were superintended by an experienced surveyor, instead of being entrusted to persons annually chosen to the office, the business might be perhaps not only better performed, but executed at a much less expense. Bye-roads, which divide parishes, are often the source of vexatious litigation; and the

inhabitants of Tewkesbury have not been exempt from their share of this evil. The reparation of the Hoo-lane, which leads from the Gloucester turnpike-road towards Deerhurst, occasioned an expensive law-suit at the Michaelmas county sessions in 1812, when the parish of Deerhurst was ordered to repair it. The lane leading to Tredington has often been the cause of contention betwixt this and neighbouring parishes. A portion of it was for many years wholly neglected, from a pretext of the parish of Tredington, that it belonged either to Tewkesbury or Deerhurst. The inhabitants of Tredington have since had cause to regret their parsimony, for when, in 1828, it became nearly impassable, the trustees of the turnpike-roads repaired it, and immediately afterwards erected a turnpike-gate at the angle which unites it with the Gloucester road.

Numerous bridges have necessarily been erected over the various rivers which encompass the town; and some of them are not less remarkable for their elegance than their utility. The most ancient and important of these structures is that built over the Avon, the two branches of which are connected by an arched causeway; these, with the adjoining causeway from Old Avon to the foot of the Mythe Hill, extend considerably more than a quarter of a mile in length. It is impossible to ascertain at what period the earliest bridge on this spot was erected. John Earl of Cornwall, (afterwards King of England,) who obtained the manor of Tewkesbury, in 1183, in right of his wife Isabel, daughter of William Earl of Gloucester, built a bridge on this site, and gave the tolls of the market to keep it in repair.* The structure raised by this

* "King John, beyng Erle of Glocester by his wife, caussid the bridge of Tewkesbyri to be made of stone. He that was put in truste to do it, first made a stone bridge over the grete poure of booth the armes by north and weste: and after, to spede and spare mony, he made at the northe ende a wodde bridge of a greate length for sodeyne lande waters, putting the residew of the mony to making of the castel at Hanley on the inheritaunce of the Erledom of Glocester. King John gave to the mayntenaunce of this bridge the hole tolle of the Wensday and Saturday marketes in the towne, the which they yet possesse, turnyng it rather holely to their owne profite then reparation of the bridge."—*Leland's Itin.* vol. 6. p. 90. edit. 1709.

potent earl, was probably of a very rude character; though Leland, the "royal antiquary" of Henry the eighth, who perhaps personally inspected it, declared it to be, in his time, "a greate bridge of stone."* Subsequently to this period, it became, through neglect, so dangerous to passengers, that, in 1621, Sir Dudley Digges, bart. one of the representatives of the borough, at the request of his constituents, applied to parliament for an act to compel the county to rebuild it. The bill was so violently opposed by the members for the county and city of Gloucester, and by those for Bristol and Cirencester, that though it was read a second time and committed, the promoters of it were subsequently compelled to relinquish the measure.† The bridge probably remained in a dilapidated

* "Ther is a greate bridge of stone at the northe ende of the town, and ther a litle above the bridge, Avon brekith into two armes. Yet the bridge is so large that both cum under it. The right arme cummith into Severne withyn a flite shot of the bridge, and at the pointe of this arme is the town key for shippes caullid Picardes. The other arme cummith down by the side of the towne and the abbay: leving it on the este, and so passing harde ther by Holme Castelle, goith into Severne."—*Leland's Itin.*

† The following interesting particulars respecting the Tewkesbury Bridge Bill are extracted from the Journals of the House of Commons, vol. 1. p. 609, (19 James I. May 5, 1621):—

"*Mr. Langston*: For the body of the bill. That Gloucester, a county of itself, extending seven or eight miles round about; and, if they be left out, will have much benefit, some part of the said towns being within three miles of Tewkesbury. That therefore they may contribute.—*Mr. Berkeley*: That this bill against law and equity. By law, all towns corporate to bear their own charge of bridges. That Tewkesbury standeth near three other counties, which have more benefit than Gloucestershire. That they use it not almost at all. That they are able enough to do it. Gloucestershire never yet charged with it. That they are able to do it; for now in hand with a work which will cost £.3000. That they offer many wrongs to the county.—*Sir D. Digges*: Sorry the town hath offended this gentleman. No cause to desire an act of parliament, but that the act of parliament mentioned is against them. Not able.—*Sir Edward Coke*: To commit the bill. Commendeth both these two last speakers. There must be great cause to alter a law. He that hath the benefit is to bear the charge.—*Mr. Guy*: Not against the body of the bill; against the clause to except Bristol, as part of the county of Gloucester; which no part. Not to have the extent into all parts of the shire, part whereof forty-five miles from Tewkesbury. Not to exceed ten miles from thence.—*Mr. Wyld*: For the

state from that time until the reign of Charles the first; at the assizes for the county of Gloucester, which were held at Tewkesbury, on the 2d of July, 1638, the court ordered it to be repaired at the expense of the county, the corporation of the borough stipulating, after that was effected, to keep it in proper condition.*

The rapidity of the current of the Avon, at the time of high floods, has often occasioned considerable damage to the walls and arches both of the bridge and causeway. They suffered greatly in 1729, and again in 1747; at the latter period, the four arches erected over Old Avon, were obliged to be re-built, the town having been indicted, in consequence of their dangerous condition. In 1783, the bridge underwent further reparation; and the injury done to the bridge and causeway, in the early part of 1810, cost the parish upwards of £.1000. In the latter instance, the surveyors of the bye-roads, conceiving that the commissioners of the turnpike-roads ought to bear the expense of reparation, refused to interfere with it, until an indictment was preferred against them. As the nine-penny rate, allowed

bill; and for the extent through all the county of Gloucester; that no part of Worcestershire to be charged, because have a great charge of a bridge near at hand.—*Sir William Cope*: against the committing;—*Mr. Robinson*, *contra*.—Committed."

* The following is a copy of the order of court made upon this occasion, which is extracted from one of the corporation books:

"*Gloucestershire*.—Whereas there is a certeyne bridge, called the Long Bridge, lying att the north-end of the towne of Tewkesbury, and leading towards the cittie of Worcester, conteyning above seven hundred yards in length, which is growne into great decay, and so hath beene for many yeares last past, by reason whereof divers of his majesties subjects travelling that way have beene unfortunately drowned. And for that it doth not appeare who in the memory of man have repayred the said bridge, nor who by law ought to doe itt: 'Therefore, to the end soe necessary a worke should bee effected, it is ordered by assent, that the county of Gloucester shall forth-with rayse, by way of contribucion, a competent some of money towards the repayre of the sayde bridge, which being once effected, the corporation of Tewkesbury doth offer to keepe and maynteyne the same. Provided that the contribucion of the whole county with the parish of Tewkesbury bee noe prejudice to the county, nor drawne into example for the future.—*Per Curiam*."

by law, was found to be insufficient for the completion of the necessary repairs, a fine of £.600 was suffered to be imposed upon the parish, at the Gloucester summer assizes in 1810. This sum was collected, by rate, within the year. On this occasion, about half of the causeway, between Old Avon and the Mythe Hill, was widened and heightened.

In 1823, it was proposed to widen and repair the bridges over the two arms of the river Avon, and also the arched causeway which unites them. A specification and estimate were obtained from Mr. John Collingwood, surveyor of the county, from which it appeared that the cost would amount to £.1750. The inhabitants of the borough, thinking it equitable that the county should share in the expense of an undertaking which would be beneficial to the public generally, memorialised the magistrates, assembled at the Michaelmas quarter sessions in 1823, for aid towards effecting this improvement, intimating that a precedent existed for their interference, in the order made at the assizes in 1638. The county magistrates having refused to grant any assistance, the object was abandoned.

In 1824, when the alterations at the Mythe Hill afforded a large quantity of surplus soil, the commissioners of the turnpike-roads offered to raise and widen the causeway, from the foot of the hill to that part of the road which had been improved in a similar manner in 1810, and also to introduce five large additional culverts, on condition that the inhabitants of Tewkesbury assisted them with the amount of a shilling rate upon all the assessable property within the parish. To this proposition the parishioners cheerfully acceded, and the entire causeway is now elevated far above the height of ordinary floods.

In 1823, an act of parliament was obtained for erecting a new bridge across the river Severn, at the Mythe, and for making necessary roads in connection with it. This measure had been frequently agitated during the preceding half century, and abandoned only in consequence of the difficulty of obtaining pecuniary aid sufficient to complete a work of such magnitude. The subject had been renewed, with some degree of ardour, in 1816; and again, still more warmly, in 1818, when considerable

expenses were incurred in procuring plans and estimates.* This measure, however unprofitable it may be to individual speculators, has already proved of much advantage to the town, by opening a new line of communication with Herefordshire and South Wales, and is susceptible of being made still more beneficial; it is a great public convenience, and extremely important to agriculturists and others, who reside on the Worcestershire side of the Severn.

The excavations were commenced on the 12th of June, 1823; and on the 8th of the following September, the foundation-stone of the bridge was laid, with much solemnity, by Thomas Quarington, esq. the acting grand master of the provincial grand lodge of freemasons of the county of Gloucester, attended by the members of that and several other lodges, the corporation of the borough, the trustees and subscribers to the bridge, and an immense concourse of spectators of all ranks.

After considerable progress had been made in the work, it was reported that the foundations were not sufficiently substantial; and the trustees were induced to discharge their engineer and architect, George Moneypenny, esq.†

* It was originally intended to have built the bridge at the Lower Lode; by some the Upper Lode was considered to be a more suitable place; while many were advocates for the site which has since been adopted. The late John Rennie, esq. the celebrated engineer, who came from London expressly on the occasion, was decidedly of opinion that the most eligible situation for the bridge was about midway between the two Lodes, connecting it by an arched causeway across the Severn Ham to another bridge, to be thrown over the Avon, between Gloucester-place and the Bowling-green. If Mr. Rennie's suggestion had been adopted, and proper economy observed, the shares in the bridge might now have been worth their original cost.

† Mr. Moneypenny brought an action against the trustees, for the non-fulfilment of their contract with him. The trustees pleaded the misconduct of their engineer, as a justification for their discharging him, and for withholding the per centage which they had agreed to pay him for superintending the work. The evidence of Mr. Telford, however, tended to prove that the first foundation was sufficient for a bridge of three arches, though not for a bridge of one arch. Mr. Moneypenny accordingly recovered £.750 damages, subject to a deduction of £.500 which he had subscribed towards the erection of the bridge. He subsequently, on an appeal to the court of chancery, recovered his costs in the suit, which, with the expenses incurred by the trustees, amounted to upwards of £.300 more.

In December, 1823, they obtained the able assistance of Thomas Telford, esq. to whom the editor is indebted for the following accurate description of a structure, which will be a lasting monument to the fame of the "President of the Institution of Civil Engineers."

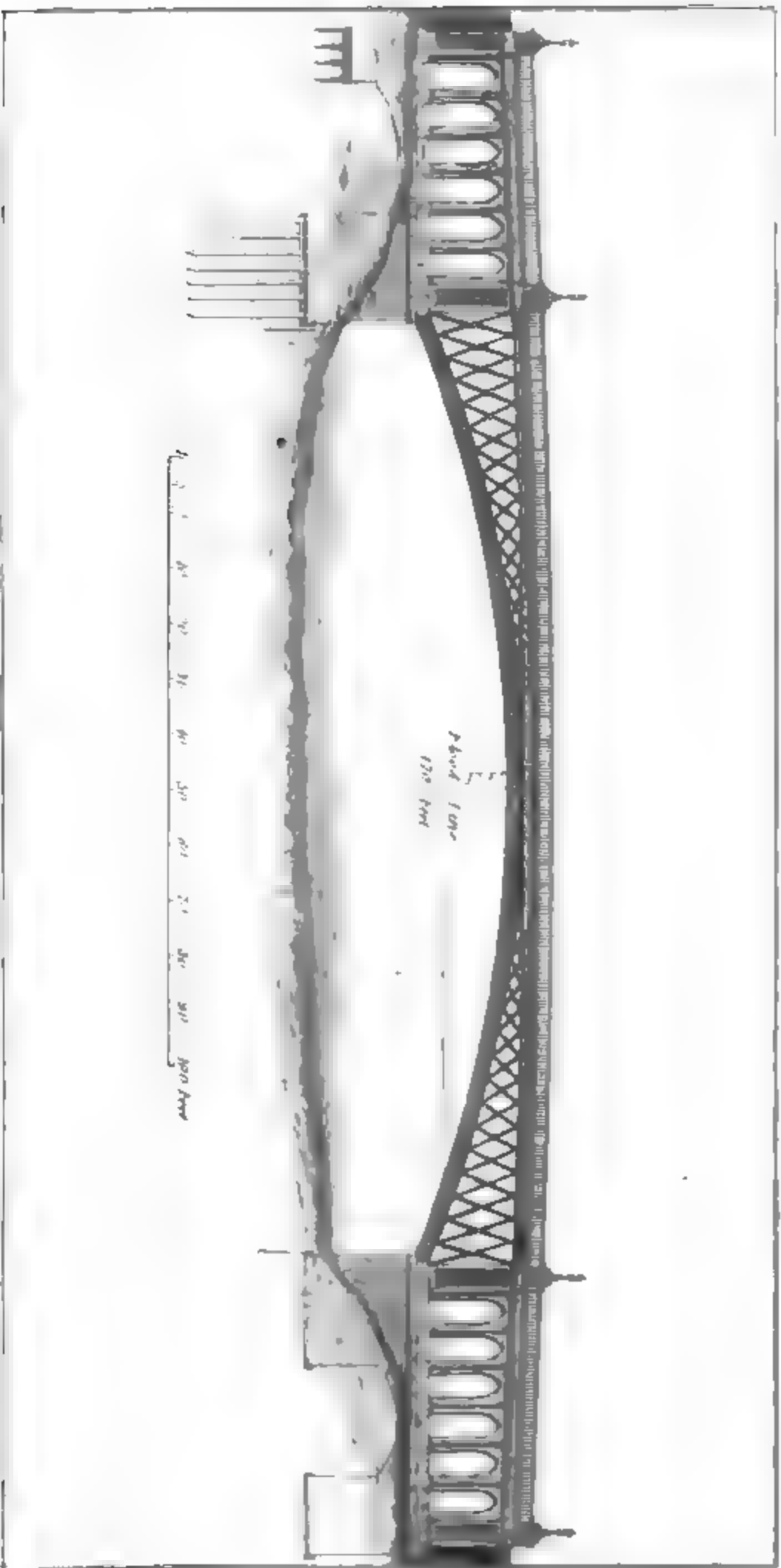
" Upon examining the site of the bridge, which is about half a mile north of the town, and immediately south of the Mythe Hill, I found that, as far as regarded the river and approaches, the situation was judiciously selected; but after having had the nature of the river bottom and its banks ascertained by boring, I could not approve of the plan of having three arches, which had been adopted, and partly proceeded with; because I had found the bottom to consist of soft alluvial matter, which rendered the placing two piers in the navigable channel very objectionable. Finding that the whole breadth of waterway might be spanned by an arch of one hundred and seventy feet, and so to leave the whole free from impediment, and that the structure would also be less liable to be injured by the numerous vessels which navigate the Severn; having also ascertained that this would be accomplished for a sum not exceeding that of three arches, which had been contracted for; I stated these matters to the trustees, and they approved of the design of one arch, which I presented on the 23d of March, 1823.

" The span of this cast-iron arch is one hundred and seventy feet, the rise or versed sine seventeen feet or one-tenth of the span. The breadth is twenty-four feet between the bases of the railing, and this breadth is divided into seventeen feet for the driving way, and three feet six inches for a foot-path on each side. The roads of approach, on each side, are thirty feet in width. The foundations of masonry abutments are laid nineteen feet six inches below the springing of the arch, and are there placed upon bearing piles, of twenty-one feet in length, covered with timber framing, planking and sheeting piles. These abutments are twenty feet in thickness, and are connected with the extremity of the wings by arches of twenty feet span.

“ The iron-work consists of six main ribs, each three feet in depth; the two outer ribs are each two inches and a half, and the four interior ones each two inches in thickness. These six ribs are cast in lengths of twenty-two feet, and connected by cross plates, also three feet in depth and two inches in thickness; they stand upon abutments—springing plates three feet in breadth and four inches in thickness, and they are connected by grated plates, one inch in thickness, laid over the whole of them. Upon these six ribs, thus connected, as one frame, are placed the lozenge pillars which support the road-way; these are connected by wrought-iron ties, of one inch and a half diameter, passed through hollow cast-iron tubes; these tubes having flanches at each set of lozenges, to keep them in a perpendicular position, while the aforesaid wrought-iron bars or ties, passing through the whole, are screwed at the extremities to secure the pipes in their places. In order still farther to preserve the whole, as a frame, in a proper position, diagonal braces are introduced. Upon the lozenges, thus secured, are placed the bearers of the road-way plates, one of them over each of the six sets of ribs and lozenges; and upon these rest the plates which support the road-way, which are one inch in thickness, with flanches four inches in depth, and all screwed together. Upon the road-way plates are placed the skirting plates, which keep up the gravel, and also receive the common railing, and are secured by the main bars of the railing, which are two inches and a half and one inch and a half square, and have feet, eighteen inches in length, screwed to the road-way plates.

“ The shape of the railing, and also the general appearance of the whole iron-work, will be best seen by the accompanying engraving.

“ The masonry is carried up solid to three feet above the level of the springing of the great arch; at this height is introduced a series of open arches, in place of having solid masonry. I was led to this from having observed, in all the other cast-iron bridges, constructed under my direction, that the great mass of solid masonry in the wings did not accord well with



1. N. W. 1/4 of Sec. 2, T. 2 N., R. 2 E., S. 10 E.

the openness of the iron-work; these arches are also of use when the floods rise more than three feet above the springing: and as this is the first instance in which this mode has been adopted, as well as some other improvements, I reckon this the handsomest bridge which has been built under my direction.

“ Upon the road-way plates there is laid a coating of clay, —four inches, well rammed; upon this is a bed of five inches of broken stone, of such quality as is procured in the neighbourhood; the top or last layer consists of best Bristol limestone, five inches in thickness, broken into pieces which will pass, in their longest dimensions, through a ring of two inches and a half diameter: the whole making fourteen inches in thickness.

“ Each foot-path is three feet six inches broad, including a curb stone, eighteen inches in depth and nine inches in thickness.

“ The whole of the iron-work is made from the best Shropshire No. 2 iron; cast, fitted and put up in the most perfect manner.* The stone-work consists of good Shropshire stones, of large dimensions, brought down the river; and the mortar is made from Aberddaw pebbles, which are allowed to be the best of any for works of this description.†

“ The approaches to the bridge being over low flat ground, which is frequently covered with floods, is therefore embanked to a considerable height, the top of which is thirty feet in width, with side slopes of one and a half horizontal to one perpendicular. The road-way is made in the same manner as described for the bridge, and is well protected on each side.~ In order to pass the flood water, there are nine land

* The iron-work was cast and erected by Mr. William Hazledine, of Shrewsbury, whose punctuality and honourable conduct, in this undertaking, justly obtained for him the unqualified approbation of the trustees. The weight of the cast-iron used in this bridge was upwards of three hundred tons, and that of the wrought-iron was more than six tons.

† Every part of the stone-work is neatly tooled on the outer face, exhibiting a fine specimen of masonry, highly creditable to Mr. Hugh M'Intosh, the contractor for the stone-work and embankments.

arches of twelve feet span, besides two culverts, each of three feet diameter.

“ The toll-house and gates are constructed in a suitable style to the bridge.

“ Looking therefore to this bridge, over such a fine navigable river, passing through a beautiful valley, at a proper distance from an ancient town, with its immediately adjacent scenery, and having the Malvern Hills in the distance, it seems not presuming too much to assert, that the picture will not suffer by comparison with any other which can be selected.

“ The agreements for my plan were made on the 23d of March, 1823, and my certificate that Mr. M'Intosh had completed his contract, is dated the 8th of April, 1826.

“ London, 29th July, 1828.”

“ THOMAS TELFORD.”

In consequence, as it was alleged, of the persons who were originally employed, having neglected to make themselves sufficiently acquainted with the nature of the bed of the river; as well as from their erroneous estimates of the expense of making the roads; and entirely omitting in their specifications many works which were essentially necessary to perfect the undertaking; it was found, long before the bridge was finished, that the subscriptions* were inadequate, and that a large additional sum of money would be required to complete the work. It was therefore determined, in 1825, immediately to obtain another act of parliament, with additional powers; but owing to the non-observance of some of the standing orders of the house of commons, the application was necessarily delayed. In this emergency, a public-spirited individual, (Thomas Taylor, esq. of the Mythe,) agreed to advance the whole of the money which was required to complete the bridge and roads, on condition that the subscribers would consent to his having a priority of payment, both of principal and interest; and that the trustees

* The whole of the subscriptions amounted to £.20,400 (in shares of £.100 each). Only £.18,900 was received, the remainder being lost through the incompetency of some of the subscribers to pay the instalments of £.10 per cent. when they became due.

would apply to parliament, in the ensuing session, for an act to confirm the guarantee thus to be given to him by the subscribers.* A new act was accordingly obtained, in the following year; and the bridge was opened for passengers on the 12th of May, 1826.

The total cost of the bridge, with its approaches and roads, was upwards of £.35,000, though the original estimate was only £.20,700, which was the amount allowed to be raised by subscription under the powers of the first act of parliament. More than £.5500 was expended in procuring acts of parliament, and in legal proceedings; £.1650 was paid for the Upper Lode Ferry; and £.1031. 17s. for the purchase of land; Mr. M'Intosh's contract for masonry, embankments, fencing, and extra work, amounted to £.15,297. 13s.; Mr. Hazledine's, for iron, &c. to £.4539. 10s.; and Mr. Marson's, for the roads, &c. to £.5872. 12s. 11d.; Mr. Moneypenny's account, as engineer, was £.750.; and Mr. Telford's, £.250.

The drive from Tewkesbury to Ledbury is extremely pleasant and beautiful: the road was at first admirably formed, and has since been kept in excellent order.† The numerous villages, which skirt the sides of the road, present many picturesque and enlivening features; the varied and extensive prospects, which occasionally burst upon the sight, particularly in ascending the lofty hills, ranging with those of Malvern, are singularly grand and interesting; and a view of the magnificent castle of the Right Hon. Earl Somers, at Eastnor, recently erected from the designs of the celebrated Mr. Smirke, would alone repay the traveller for making a circuit of considerable extent. A mere glance at this stately edifice would create

* The amount of money advanced by Mr. Taylor, to complete the undertaking, was £.16,000; the interest of this sum, at five per cent. together with the principal, is guaranteed by act of parliament to be paid off before any of the original subscribers can derive any benefit from the income arising from the tolls. In September 1829, the total outstanding charges, exclusive of the £.18,900 due to the original subscribers, was £.19,440. 1s. 9d.

† This road was planned by Mr. John Allen Stokes, of Worcester, and is still under his able superintendence.

wonder and delight in the most unlettered observer; while a view of the site of the ancient mansion at Castleditch, with the beautiful scenery and venerable plantations which surround it, would awaken, in such as are at all acquainted with English history, many pleasing recollections connected with the honourable life of that illustrious statesman, Lord Chancellor Somers.

A new and elegant cast-iron bridge, of one arch, was erected across the Avon, at the Quay, in 1822, and the avenues leading to it were at the same time much improved. The old stone bridge having become somewhat dilapidated, an act of parliament was obtained, in 1808, for rebuilding it. The completion of the project was however prudently deferred, until the tolls had produced a sum of money somewhat commensurate with the costs of the undertaking.

In the year 1602, a bridge was thrown over the Swilgate, on the Gloucester road, which is supposed to have been wholly or in part built of wood, as it is certain that a draw-bridge was there in the time of Charles the first. This bridge was either re-built, or considerably improved, in 1635. A substantial stone bridge was afterwards erected, which was widened in 1757. In the year 1827, this bridge was again much widened and raised, side-walls were also added to it, and the causeway leading from thence to the town was greatly elevated and rendered much more commodious. A voluntary subscription produced £.200, and the surveyors of the bye-roads contributed £.20: these sums were paid to the commissioners of the turnpike-roads, upon their undertaking to make the required improvements.

A stone bridge was erected over the Swilgate, at the bottom of the Gander-lane, about the year 1795, at the expense of the Right Hon. the Earl of Essex, for the convenience of his tenants. There had been previously only a grotesque wooden bridge, which stood there as early as 1602, for the accommodation of foot passengers.

There is also a newly-built stone bridge, over the Carron, on the Bredon road, which was considerably improved in 1824.

CHAPTER XXII.

RIVERS ADJOINING TEWKESBURY.



THE SEVERN.

THIS river, which was called by the Britons *Hafren*,* in the Saxon language *Sæferne*,† in Latin *Sabrina*,‡ is, in a commercial point of view, the most important in England excepting the Thames. It is navigable for vessels of large burthen for upwards of one hundred and fifty miles from the sea, without the assistance of a single lock. It is the longest river in England—admeasuring two hundred and twenty-five miles, a length greater by seven miles than that of the Thames; and it is equal to any other British river for grand and beautiful scenery.

* Baxter derives this name from *ha au rian*, which signifies queen or chief river, for such it certainly was to the Welch.—*Gloss. Antiq. Brit.*

† Signifying “sea-flowing.”—*Nash’s Worcestershire.*

‡ So called from *sabr* sand, *sabrin* sandy, because the river is often turbid, especially when swollen by the waters descending from the Welch mountains.—*Bullet’s Dict. Celt.*—Giraldus Cambrensis and Geoffrey of Monmouth say that it was so called from *Sabra* or *Sabrina*, a beautiful virgin, who was drowned in this river by command of Queen Guendoloena, after the death of her husband Locrine, king of Britain, because she was the offspring of an amour with her rival Estrildis, one of the three daughters of Humber, king of the Huns, whom he had conquered.—Milton, who has so beautifully personified “Sabrina fair,” in his exquisite poem of *Comus*, alludes to this tradition:

“ There is a gentle nymph not far from hence,

“ That with moist curb sways the smooth Severn stream,

“ Sabrina is her name, a virgin pure.”

Other particulars of the apocryphal history of the virgin Sabrina may be found in the *Mirror of Magistrates*, Drayton’s *Polyolbion*, Spenser’s *Fairy Queen*, Robert of Gloucester and Harding’s *Chronicles*, and in an old English ballad on the subject.

The Severn, which Hennius styles "one of the arms of Britain," has its source in a small lake on the eastern side of Plinlimmon, a mountain in Montgomeryshire, a short distance from the head of the Wye;* from whence it runs with a swift current, and, being joined by many lesser torrents, shortly afterwards appears a considerable stream. Passing by Llanydlos, Newtown and Powis Castle, it becomes navigable at Welchpool, where it is joined by the river Virniew. Not long afterwards it enters the great plain of Shropshire, and

Many eminent antiquaries have acknowledged themselves at a loss in accounting for the derivation of the word Severn.—*See Camden, Lloyd and Pennant.*—General Vallancy derives it from *sab* a division, and *rann* a word of the same meaning; and hence, he observes, the Severn means a boundary river.—Malcolm, in his *Antiquities*, deduces it from *sab*, Gaelic for strong, or from *saobh* raging, and *rian* the sea.—Dyer, in his "Restoration of the ancient Modes of bestowing Names on the Rivers, &c. of Britain," says, "*sab*, *sav*, or *sev* is water or stream, and *rian* the little sea; and hence the little sea stream would be a translation of Ptolomy's *Sabriana*." After shewing in what manner from *Sabriana* the present *Severn* may have come, the same ingenious author observes, that its modern name may have been derived from the Gaelic, thus:—*Sev* is stream; and *an*, or its synonyme *aun* changed to *arn*, means great; thus the *Sevarn*, from the mutation of vowels now *Severn*, means the great stream.

* Mr. Gilpin, in his "Observations on the River Wye," says, "it is a singular circumstance, that within a quarter of a mile of the well-head of the Wye arises the Severn. The two springs are nearly alike: but the fortunes of rivers, like those of men, are owing to various little circumstances, of which they take the advantage in the early part of their course. The Severn, meeting with a tract of ground, rising on the right, soon after it leaves Plinlimmon, receives a push towards the north-east. In this direction it continues its course to Shrewsbury. There it meets another obstruction, which turns it as far to the south-east. Afterwards, still meeting with favourable opportunities, it successfully improves them; enlarging its circle; sweeping from one country to another; receiving large accessions every where of wealth and grandeur; till, at length with a full tide, it enters the ocean as an arm of the sea. In the mean time, the Wye, meeting with no particular opportunities of any consequence to improve its fortunes, never makes any figure as a capital river; and, at length, becomes subservient to that very Severn, whose birth, and early setting out in life, were exactly similar to its own. Between these two rivers is comprehended a district, consisting of great part of the counties of Montgomery, Radnor, Salop, Worcester, Hereford, and Gloucester. Of the last county, that beautiful portion only is inclosed, which forms the Forest of Dean."

proceeds gently onwards until it arrives at Shrewsbury, which it almost surrounds, somewhat in the form of a horse-shoe. It then passes near the base of the Wrekin Hill; and, after being united with the river Tern, descends into the picturesque scenes which environ the neighbourhood of Coalbrook Dale and Broseley. It then runs to Bridgnorth and Bewdley, both of which towns have risen into importance from the traffic they have been enabled to carry on by means of the navigation of this river. At Stourport, where a town of considerable magnitude has recently sprung into existence, it is joined by the several canals which have been formed for the purpose of conveying the commerce of the numerous trading towns of Warwickshire, Staffordshire and Worcestershire, to distant places, by means of the Severn. After this, the river, augmented by the waters of the Stour, and various other streams, assumes a more important and beautiful feature, as it rolls through a pleasant and fertile district in its approach to the city of Worcester. A little below this place, it receives the Teme; and its banks become more ornamental as it skirts the smiling villages of Kempsey, Severn Stoke and Hanley-Castle. It then runs close to the town of Upton, where there is a fine old bridge of sixteen arches, built in 1605; and passes within view of Ham Court, the seat of Joseph John Martin, esq. It afterwards separates the parishes of Bushley and Ripple: at the former place, J. E. Dowdeswell, esq. has an elegant and venerable mansion, called Pull Court; and at the latter, the Rev. Fleetwood Parkhurst has a pleasant mansion and good estate. About a mile and a half above Tewkesbury it enters Gloucestershire, and for a considerable distance forms the boundary between that county and Worcestershire. As the river approaches Tewkesbury, the lofty Mythe Hill, with its abrupt declivity, is an interesting and prominent object; and the fine old abbey church, when viewed beneath the splendid arch of the Mythe bridge, presents a most beautiful spectacle. An arm of the river conveys vessels up to Tewkesbury quay; and, a little beyond the town, it is joined by the Avon and other tributary currents. The lofty plantations which encompass Tewkesbury Lodge and Forthampton

Court are here seen with charming effect; and the distant view of the shady landscape, in the neighbourhood of Corse Lawn, is scarcely less pleasing. About two miles below Tewkesbury it passes Deerhurst and Chaceley; and at the Haw, it rolls beneath a modern cast-iron bridge, of three arches—one of the many mementos of the folly of the late speculating æra. It then bends its course towards the capital of Gloucestershire, but before it arrives there, it is divided into two channels; one of these winds its way beneath the Westgate bridge, and close to the walls of the city; the other takes a circuit to the right, and passes under Maisemore and Over bridges: these channels unite again about two miles below Gloucester. Shortly afterwards, it receives the Stroudwater canal, by the aid of which the important junction of the Thames and the Severn is formed. “It then becomes considerably extended, and, swelling into a broad æstuary, forms the principal ornament of its expanded vale. The cliff on which the church of Newnham is finely situated, commands its immense semicircle with admirable effect, while the Cotswold range, terminating in the bold elevation of Stinchcomb Hill, bounds the vale to the east, and the undulating hills of the Forest of Dean close in upon it on the west, opening into various sweetly picturesque glens.”* The Severn then, after uniting with a number of lesser streams, grows wider gradually until it receives the Wye and the Somersetshire Avon, when it forms the British Channel.

Marshall, in his “Rural Economy of Gloucestershire,” speaking of the Severn, says, “its æstuary is singularly magnificent, forming a channel, not unfrequently nor improperly styled the Severn sea; whose banks, on either side, rise from the richest marshes to lofty and most picturesque mountains. Europe, I believe, does not furnish another river-entrance of equal grandeur. These mountain banks approach, and the channel contracts with the cliffs of Chepstow and Aust, but the æstuary continues; and the country above opens into an

* Skrine's Rivers, p. 229.

extended vale, which widens as its length increases, until it receives the county of Worcester, almost entirely, within its outline; then contracts, and closes with the hills of Shropshire and Staffordshire. A vale which, in richness and beauty, has no where perhaps its equal. Its banks, to the west, are formed by the Forest of Dean, May Hill, the Malvern Hills, and the hills of Herefordshire and Shropshire; to the east, by the Stroudwater and the Cotswold Hills, and by rising grounds on the border of Warwickshire, closing with the Lickey and the Clent Hills."

This river is remarkable for its tide, which, says Rudder, "rolls in with a head of three or four feet high, foaming and roaring in its course, as if enraged by the opposition it meets with from a strong current of fresh water, which seems to contend with it for the superiority, clashing in such a manner as to dash the waters to a considerable height." This raging of the waters loses its grandeur, in a great degree, by the time it reaches Gloucester; though the tide comes with considerable force as far as Tewkesbury, and occasionally higher. This contest between the waters is distinguished by the name of *hygre*, said to be derived from the French *eau-guerre*, i.e. water-war; and is vulgarly called *the boar*.*

The tide of this river, Sir Robert Atkyns observes, "swells not by degrees, but comes in a heap, occasioned by the mouth of the river opening to the great Atlantic Ocean, which pours in its tide with great violence, and the river growing narrow on a sudden, it fills the channel at once."

The traffic on the Severn is very considerable, and is mostly carried on in vessels of two sorts: the lesser ones are

* The *hygre* is not, as has been sometimes supposed, peculiar to this river: Drayton, in his *Polyolbion*, mentions a *hygre*, of the same kind, appertaining to the river Humber; and Parkin, in his *History of Norwich*, thus describes the tides of the Ouse: "At the two equinoxes, and especially at the full of the moon in the autumnal one, such a vast heap of waters from the sea spreads itself upon the surface of the river with such fury, that it overwhelms whatever it meets: boats get out of its way, and the very water-fowls shun it: the inhabitants call it the *eager*, from its violence and rapidity."

called barges and frigates, being from forty to sixty feet in length, having a single mast and square sail, and carrying from twenty to forty tons. The trows, or larger vessels, are from forty to eighty tons burthen: these have a main and top-mast, about eighty feet high, with square sails, and some have mizen-masts: they are generally from sixteen to twenty feet wide, and sixty in length.*

The conveyance of coals, from the pits of Staffordshire and Shropshire, to the cities, towns and villages upon the banks of the Severn, is one of the most important branches of trade which is carried on upon this river. A great number of vessels is also employed in conveying the produce of the Forest of Dean coal-mines to various parts.

From irregular and unlawful modes of fishing,† the Severn has lost a part of its breed of river fish, and depends greatly upon such as come up from the sea, and return at stated periods.

Salmon was formerly so plentiful in this river, that persons, when they apprenticed their children in places near its shores, frequently thought it necessary to stipulate that they should not be fed with this fish more than two days in the week. The Severn salmon has acquired a celebrity which makes it generally preferred to any other salmon. This fine fish is found in the river at all seasons of the year; they abound

* Phillips's Inland Navigation.

† In the year 1811, a society, called "The Tewkesbury Severn Association," was formed, and a very large subscription entered into, for the purpose of bringing to conviction persons offending against the laws for the preservation of the fish, and for regulating the fisheries, from the Barley-House to Wainload's Hill. Similar associations were established at Gloucester, Worcester, Shrewsbury, and many other places on the Severn, and the salutary effects arising from them were soon discernible. These laudable institutions unfortunately became neglected by the promoters of them, as soon as their novelty had subsided; and we no longer hear of illegal nets being destroyed, of unwholesome fish being burnt, or of unprincipled fishermen suffering the penalties incurred by the breach of those laws which were wisely made for preserving the breed of fish.

most from Lady-Day to Midsummer, and are then in the highest state of perfection.*

When lampreys were considered the greatest delicacy which kings and nobles could introduce at their tables,† those of the Severn were in the highest estimation, and they still retain a portion of their former fame. They quit the sea, and come up the fresh water in the spring, and often weigh three or four pounds.‡

Eels are found in great abundance in this river, and especially the young ones, provincially known by the appellation of elvers: these, if the season be mild, usually appear about the middle of April, when they sometimes cover the surface of

* “They are called salmon *pinks*, from their smallest size to a pound weight; a *spring*, from that size to four pounds; a *botcher*, from four to eight pounds; from that to sixteen, a *gilleon*; from that to the greatest growth of the fish, a *salmon*.”—*MS. Notes of Dr. Jenner, in Fosbroke's Gloucestershire.*

† King Henry the third, in the twenty-fifth year of his reign, ordered the bailiffs of Gloucester to buy for his use thirty lampreys, sixty salmon, and two hundred shad, and to send them to Westminster on Christmas eve. By the same monarch, an order was issued to the sheriff of Gloucestershire, forbidding any one to sell a lamprey at a higher price than two shillings, which is equal to a guinea at the present time.—(*Tower Records.*) King Henry the first died from eating too freely of lampreys, which, Hume observes, “agreed better with his palate than his constitution.” The celebrated Catherine of Russia, having frequently heard the Severn lampreys highly extolled, even in her remote dominions, expressed a great desire to taste them, and a quantity were potted and sent as a present to this luxurious empress.

‡ Linnæus ranks the lamprey, the lampern, and the nine-holes or pride, under the same class, and terms the genus *petromyzon*. The lampern is not in such repute as the lamprey, though sometimes sold as such to the unwary: it is about the size of a man's finger, and differs from the other by having the posterior fin on the back rising up in a ridge or angle towards the tail. The nine-holes or pride is a lesser lampern, which is frequently found in many of our rivulets, and is mostly about the size of a goose-quill. Though called nine-holes, it has, in fact, like the lamprey or lampern, no more than seven on each side of the neck; and the posterior fin on the back is level or even to the tail, without angle or ridge. This is the small fish which Plot, in his Natural History of Oxfordshire, calls the Pride of the Isis, and since which it has been known by the name of the pride. They are said to suck the gills of other fish, and Linnæus therefore terms the species *petromyzon bronchialis*.—See Pennant's *Zoology*.

the water, more especially about the mouths of the small rivers and brooks which empty themselves into the Severn. They are of a dark brown colour, about two or three inches long, and are considered delicious.

Roach, dace, bleak, carp, flounders, trout, chub, perch, cod, shad, soals, shrimps, conger eels, and various other kinds of fish, are found in the Severn: many of these are, however, rarely seen in any part of the river, and some are never found so high up the stream as Tewkesbury.

Some of the more gigantic inhabitants of the ocean occasionally wander into the Severn. Daniel, in his *Rural Sports*, states, that "in the Severn, near Worcester, a man bathing, was struck, and actually received his death wound, from a sword fish, *Xiphias gladius*. The fish was caught immediately afterwards, so that the fact was ascertained beyond a doubt." On Nov. 1, 1819, a pike-headed whale, sixty feet in length, was left, by the receding of the tide, a few miles below Gloucester; porpoises are also frequently seen in the lower parts of the river. A sturgeon was caught near Tewkesbury, in 1701; a larger one, six feet five inches long and two feet three inches round, was taken between the Upper and Lower Lodes, on the 30th of April, 1725; and another, seven feet in length and two feet ten inches in girth, weighing one hundred and twenty pounds, was caught near Avon's Mouth, by four fishermen who were dragging for salmon, on the 9th of April, 1829. The one which was taken in 1725, having been landed in the Severn Ham, was claimed by the corporation as lords of the royalty, and was accordingly delivered up to the bailiffs; the one caught in 1829 was landed in the Bushley meadows, and J. E. Dowdeswell, esq. the lord of the manor, having waived his right to it, the poor fishermen, by exhibiting it alive, and afterwards disposing of it in small portions, cleared upwards of ten pounds. The sturgeon is more frequently taken in those parts of the river nearer the sea.

The Severn is a public river, and the right of fishing in it is not restricted; but the fishermen are of course obliged to rent landing-places of the owners of the meadows on its banks.

During the summer months, the fishermen find, in the Severn, in the neighbourhood of Tewkesbury, large quantities of a species of coal, something of the *culme* kind, which is of great service to the maltsters and brick-makers. It is raised by means of a small net, which is attached to an iron hoop, at the end of a pole, sufficiently long to reach to the bed of the river. The sand being washed away, the net retains the coal, which is found in pieces of the size and shape of small pebbles, having all their angles and corners rubbed off by rolling in the water—a proof that they come from a distance, and are brought by the rapidity of the stream.

There is a very ancient ferry across the Severn, a little below Tewkesbury, called the Lower Lode, which belongs to Joseph Yorke, esq. of Forthampton Court. There was another, about half a mile higher up the river, called the Upper Lode, belonging to the Pull Court estate, but this has been discontinued as a public ferry since the erection of the bridge at the Mythe.

THE AVON.

Avon is a very common name for rivers in England;* there are no less than three of this name in Gloucestershire.

This river rises near Naseby, in Northamptonshire, and ornaments, in no small degree, the delightful territory around Warwick Castle, as it flows beneath the cliff on which the lofty towers of that noble edifice are situate. It then glides through a beautiful country to Stratford, the birth-place of Shakspeare, and the repository of his ashes. Here the Avon becomes navigable, and proceeds through a fertile valley to Evesham and Pershore; from whence, running by Strensham, Bredon, Twynning and Mitton, it flows to Tewkesbury. Here the line of the river has evidently been altered from its natural course, but at what period this took place is unknown. Leland says,

* Bullet's Dictionnaire Celtique.—The Avon is generally translated *the river*. Whitaker, in his History of Manchester, says, that it is the plural of *Av*, Gaelic for water.

that George Duke of Clarence, brother to King Edward the fourth, "thought to have brought Avon about the town;"* but whether he, or one of the many other noble personages who were possessed of the lordship of Tewkesbury, effected this object, it would be in vain to inquire. It is not improbable that it was done at the instigation of the abbot and convent, with the view of bringing so fine a body of water near to the monastery, since it is evident that the abbey mills stood on or near to the spot where the present mills are situate. The original course of the stream is now clearly to be traced, a little above the town; and what is now called "Old Avon" formed a portion of it.

Richard Earl of Warwick, contemplated making the Avon navigable from Tewkesbury to Warwick.† The frequent disputes between the proprietors of lands, near to the river, seem to have required some legislative enactment long before it was obtained.‡

This river was made navigable in the year 1636, through the indefatigable exertions of William Sandys, esq. of Fladbury, second son of Sir William Sandys, bart. of Miserdine, in the county of Gloucester; who built sluices at Tewkesbury, Strensham, Nafford, Pershore, Piddle, Fladbury, Chadbury, Evesham, Harvington, Cleeve-Prior, Bidford, Welford and Stratford. On this occasion, a commission, consisting of the

* Leland, vol. 6, p. 50, edit. 1769.

† In a MS. in the possession of the Warwick family, it is stated, that Richard Beauchamp, Earl of Warwick, (temp. Hen. IV.) "mynded to have made passage for boattes from Tewkesbury to Warwick, for transportyng of merchaintdisc, for the advancement of Warwick."

‡ A.D. 1582, was ended a controversy of long standing touching the course of the river Avon, between John Russell, of Strensham, esq. and Thomas Handford, of Wollashull, esq. who, by stopping the stream to annoy each other, did great damage to the poor inhabitants thereabouts. The cause was brought before the privy council, and by them recommended to Bishop Whitgift, to make up the matter between the contending parties.—*Reg. Dec. et Cap.*

principal noblemen and gentlemen of the adjoining counties,* was appointed by the lord keeper, in pursuance of an order of the privy council, with full authority to see that all persons, interested in any lands, mills, or other property, were fully recompensed for whatever damage they might sustain in making the river navigable; and the certificate or report of the commissioners was subsequently confirmed by another order in council.† In this patriotic undertaking, it has been estimated that Mr. Sandys spent upwards of £.20,000, which so much impoverished his fortune as to leave him without the means of supporting himself in a manner suitable to his rank.

Lord Windsor, in 1751, obtained an act of parliament for the better regulating the navigation of this river, and for settling the rates of water-carriage. His lordship would have acquired more credit for the services he actually rendered to its navigation, if he had not endeavoured, by suppressing all mention of the efforts of his meritorious predecessor, to appropriate to himself the honour which was due to the public-spirited and ill-requited Sandys.

* The commissioners were Lord Viscount Campden, Lord Windsor, Lord Spencer, Lord Brooke, Lord Craven, Thomas Coventry, esq. Robert Barkley, knight, one of the justices of the court of king's bench; John Bridgman, knight, chief justice of Chester; Richard Tracy, Thomas Purkering, and Walter Devereux, knights and baronets; William Russell, and Edward Littleton, barts.; Thomas Lucie, James Pitt, John Rous, Robert Lee, Robert Peyto, Edward Underhill, Robert Tracy, and Robert Cooke, knights; William Smith, D.D. Rowley Ward, sergeant at law; William Courteen, William Sheldon, Richard Cresswell, Walter Overbury, Humphrey Salway, William Barkley, and John Keyte, esqrs.

† These orders are remarkable for the summary powers exercised by the privy council, and delegated by them to the commissioners. Sir William Russell, bart. was turned out of the commission, and was, together with Richard Dowdeswell, esq. and others, commanded to appear before the council, for not acquiescing in the decision of the commissioners; and Mr. Edward Pratt, of Pershore, was committed to the Fleet prison for a similar offence. Sir William Russell and Mr. Dowdeswell appear to have opposed the measure in consequence of the injury it occasioned to Tewkesbury—the corporation having always, prior to the alteration in the navigation effected by Mr. Sandys, exacted a tonnage upon all goods which passed up and down the river Avon, from which Mr. Dowdeswell stated that they derived a yearly income of £.200.

In the year 1825, a petition was presented to the house of commons, for leave to bring in a bill for draining, embanking and improving the lands on the banks of the river Avon, in the neighbourhood of Tewkesbury; for repairing, altering and improving the flood gates, sluices, &c. and also for altering and amending the previous act. Numerous public meetings were held on the subject, but it has not yet been further proceeded in.

The corporation of Tewkesbury are proprietors of the fishery in the Avon, from the mouth of the Carron until it unites with the Severn near the Lower Lode. The fishery in the Old Avon belonged to the Right Hon. the Earl of Essex, until his lordship sold it, with the meadows called the Hammocks, to Mr. John Moore, in 1825.

THE SWILGATE.

This little river has its source among the elevated lands in the neighbourhood of Bishop's Cleeve. After a circuitous course through the valley, it unites with the Turl brook, which runs down from Walton Cardiff. It then skirts the south side of the town, and discharges itself into the Avon a little below the Hermitage turnpike.*

THE CARRON.

This small river rises in the parish of Ashton-under-Hill, flows from thence to Beckford, Aston-upon-Carron, and Ashchurch, and falls into the Avon just above the Long Bridge at Tewkesbury. It serves as a boundary, for a considerable distance, to divide the counties of Gloucester and Worcester.

* Leland thus accurately describes the Swilgate: "Ther is a litle broke caullid Suliet cumming downe from Clive, and enterith into Avon at Holme Castelle by the lifte ripe of it. This, at sodayn rayns, is a very wylde brooke, and is fedde with water faulling from the hilles therby."—*Leland, vol. 6. p. 90. edit. 1769.*

CHAPTER XXIII.

INTERESTING AND REMARKABLE OCCURRENCES.

THE circumstances recorded in this chapter are for the most part such as could not with propriety be embodied in the general history, and which yet appeared to be too interesting, particularly to the inhabitants of Tewkesbury, to be wholly omitted. They are arranged in chronological order: the most remote events are principally copied from the Corporation Records, and from the Feoffees' and Churchwardens' Books. The precise words of the originals are in some instances preserved, especially where it was thought a deviation would probably alter the writer's meaning.

1470.—A commission was granted to the Bishop of Down and Connor, to re-consecrate Tewkesbury church, it having been lately polluted with blood.*

1484.—A remarkably high flood, in consequence of the waters overflowing the banks of the Severn. Many men, women and children, with great numbers of cattle and sheep were drowned.†

1531.—The abbot of Tewkesbury appears, from the following entry in King Henry the Eighth's Household-Book, to have contributed to the king's favourite diversion of

* *Magna Britannica Nova et Antiqua*.—It is very probable that this date should be 1471, the year in which the great battle was fought at Tewkesbury.

† Holinshed says, that "several persons were drowned in their beds, children in cradles swam about the fields, and beasts were drowned even on the hills!" that, for a century afterwards, this inundation was called "the great water," or "Buckingham's water," from the circumstance of its having prevented that unfortunate nobleman from passing the Severn, with the Welch forces, who had risen against King Richard.

hawking:—"July 27. Paid to the abbot of Tewkesbury's servant, in reward for bringing a caste of launners to the king's grace, xxs."

1559.—The oldest register of baptisms, belonging to Tewkesbury, commences in 1559, which is little more than twenty years subsequent to parish registers being first ordered to be kept; and from that period to the present they have been tolerably well preserved. The oldest registers of marriages and burials begin in 1595, but the most ancient of these are extremely vague and imperfect.

1576.—In this year was the free-school within the town began by the benevolence of the inhabitants, and finished in the following year, at the expense of £.16; of which £.8 was collected, and £.8 supplied by the chamber.

1576.—Mr. Whittington gave a silver chalice and cover, for the use of communicants in Tewkesbury church; in 1618, Edw. Alye, esq. gave another silver chalice; and shortly afterwards, Richard Dowdeswell, esq. presented a large silver salver.

1578.—Most of the printed descriptions of Tewkesbury state, that, in an old church-wardens' book, belonging to the parish, the following entries occur: "A.D. 1578. Paid for the players' geers, six sheepskins for Christ's garments;" and, under date of 1585, "order eight heads of hair for the apostles, and ten beards, and a face or vizor for the devil."*

1578.—A pestilence broke out in the town, before Michaelmas, of which thirty persons died in the course of six weeks. In the following year it again appeared, but by the timely attention of the bailiffs, in causing suspected houses to be shut up, "God stayed the plague," and five persons only died.

* There is not, at present, any book in the possession of the church-wardens, containing such memoranda. If indeed such entries now existed, they would only serve to shew the probability of mysteries or religious plays having been anciently performed in our church; of which no proof is wanting. The following item, copied from the accounts of the bailiffs of the borough, for the year 1584-5, serves to corroborate the statement in the text: "*Laid out by them unto players, in wine to the justices, rent for their market-standing and to the clerk of the market, and in seneschal money, £.3. 15s. 8d.*"

1582.—In Lent, Her Majesty's justices came to the town, and ordered the belfrey tower to be covered and furnished for a house of correction for half the shire, and committed the building of it to the bailiffs.

1583.—The quay was in part newly paved, at the charge of the bailiffs and their brethren.

1586.—In consequence of the scarceness of corn, and a dread of famine, the bailiffs and magistrates of the town abridged the liberty of buying grain, and malting was entirely prohibited.

1586.—In this and the preceding year, the town-hall was built, at an expense of £.63. 17s. 7d.

1587.—On the 19th of July, a very great and sudden inundation of the rivers occurred. Some of the meadows were unmown at Bartholomew tide, and a great quantity of hay was spoiled and lost.

1591.—About Michaelmas, the occupiers of a house in Tewkesbury were believed to be infected with the plague, which at that time raged greatly in London and other places. In November, in the following year, it broke out in Barton-street, but the inhabitants of only one or two houses were infected. In the succeeding April, it raged very furiously, continuing all the summer, winter and spring following, until the middle of May, when it entirely ceased. There were upwards of one hundred and fifty houses infected with this dreadful malady, and at least five hundred and sixty persons died of it within the year. No market or fair was held in the town from before Whitsuntide until All Saints, and many inhabitants forsook the place in consequence of the sickness. The towns-people were strictly barred from entering any market town, and forced to carry with them certificates of their former dwelling. Numbers of the inhabitants would have perished, if well-disposed persons in the neighbourhood had not sent provisions and money to the poor in the town.

1596.—The town was divided into five wards, over which presided two high constables: 1. Bridge ward. 2. Church ward. 3. Barton ward. These three had each a petty con-

stable. 4. St. Mary's ward, with two petty constables. 5. The Middle ward, of which the high constables took charge.

1597.—Wheat sold for 12s. 6d. per bushel; barley, 8s.; beans, 8s.; malt, 8s.; vetches, 5s.; oats, 3s.; rye, 5s. and 6s.: these were excessive prices, considering the value of money. The citizens of Gloucester stretched a chain across the river Severn, in order that no vessel with provisions might pass beyond them. This remained for some years; but the inhabitants of Tewkesbury petitioned the lords of the privy council, and the chain was ordered to be taken down.

1598.—The plague again made its appearance in the town, and carried off about forty persons.

1599.—The church-wardens, after Michaelmas, intending of themselves to build a battlement upon the top of the church tower, offered to do the same by contract without any common charge, and for that purpose did set forth three stage plays, played in the abbey at Whitsuntide following. They afterwards made a further motion for a church ale,* but that could

* "Church-ales" owed their origin to the "wakes." The "accustomed abuses" of these revels had been a subject of general complaint, long anterior to this period; and it is a matter of astonishment that they should ever have been tolerated, after the vices and immoralities attendant upon them had become so notorious. Church-ales have long been wholly discontinued; wakes have changed their character, and in some parts of the country are almost forgotten. Strutt, in his "Sports and Pastimes of the People of England," thus describes church-ales: "The church-wardens and other chief parish officers, observing the wakes to be more popular than any other holidays, rightly conceived, that by establishing other institutions somewhat similar to them, they might draw together a large company of people, and annually collect from them, gratuitously as it were, such sums of money for the support and repairs of the church, as would be a great easement to the parish rates. By way of enticement to the populace, they brewed a certain portion of strong ale, to be ready on the day appointed for the festival, which they sold to them; and most of the better sort, in addition to what they paid for their drink, contributed something towards the collection."—Richard Stubs, in "The Anatomie of Abuses," printed in 1595, says, "In certain towns, the church-wardens provide half a score or twenty quarters of malt, whereof some they buy of the church stock, and some is given to them of the parishioners themselves, every one contributing somewhat, according to his ability; which malt, being made into very strong ale, or beer, is set to sale, either in the church or in some other

not be granted, except upon condition that accustomed abuses should be reformed. About Whitsuntide following the battlement was finished, and cost £.66. They also, with the help of others, joined in entreating the benevolence of the best disposed inhabitants, and thereby finished the free-school, by glazing the windows, boarding the floors, and making the galleries.*

1603.—No county quarter sessions were held in Gloucester, at Easter; but on the nineteenth of July following they were held at Tewkesbury.

1604.—The plague broke out again in Tewkesbury. It was occasioned by some trowmen of the town bringing it from Bristol. Twenty-three persons died of it; all of whom, to avoid peril, were buried in coffins of wood.

1607.—A great controversy took place in September, about choosing a parish clerk. The matter was laid before the bishop of the diocese, and was by him referred to the common council.

1607.—A large grey marble stone was discovered underground in the church, thirteen feet eight inches long, three feet and a half broad, and nearly a foot in thickness. This was placed in the middle of the chancel, and used as the communion table until about the year 1730. In one of Mr. Gough's MS. it is called "the finest communion table of stone in the kingdom." A portion of it now forms the base of the font.

1607.—A severe frost began on 20th December, and continued until 18th February following. Malt was carried to Bristol by land, on pack-horses, and a scarcity of coal and wood caused great distress.

1609.—In the time of harvest, the plague raged extensively at Southwick, Tredington, and Fiddington.

place assigned to that purpose. Then, when this nippitatum, this huffecappe, as they call it, this nectar of life, is set abroad, well is he that can get the soonest to it, and spends the most at it, for he is counted the godliest man of all the rest, and most in God's favour, because it is spent upon his church forsooth."

* Tewkesbury Corporation Records.

1612.—The bailiffs ordered, that all market horses, (which heretofore had stood in the market-place, to the great inconvenience of the inhabitants,) should be put into stables, and that the owners should pay one penny for the standings of every three horses, without food; and one halfpenny for each horse that was fed.

1624.—During the summer, the town was again visited by a pestilence; but by the care of the bailiffs, in removing infected families into the Oldbury Field, where temporary houses were built for their reception, the malady soon subsided, and not more than twenty persons died.

1634.—In January there was the greatest fall of snow ever remembered; it was attended with such cold and tempestuous weather, that many people were smothered and frozen to death in returning from market.

1648.—The summer was so cold and wet, that harvest was delayed in the vale until Bartholomew tide. Wheat sold in Tewkesbury at 10s. rye at 8s. and malt at 6s. the bushel.

1655.—Wheat was sold in Tewkesbury market, on the 2d of June, at 17*d.* a bushel, and barley at 22*d.*

1673.—On Dec. 22, there was so high a flood, that the water came into the channel of the Church-street, at the Bull Ring.

1674.—On Jan. 4, a violent shock of an earthquake was felt at Tewkesbury. Similar occurrences happened on Oct. 1, 1683; in 1727; on Sept. 8, 1775; and on Nov. 18, 1795.

1677.—From an entry in the chamberlain's book, on Aug. 3, it appears that one William Tomes, of this borough, was attainted and convicted of high treason; upon which the common council, by virtue of their charter, ordered all his lands, tenements, goods, chattels and debts, to be seized upon and applied to the use of the corporation.

1684.—The old bachelors and maidens of the borough presented a handsome silver flagon, weighing upwards of fifty-four ounces, for the use of communicants.

1687.—In December, the feoffees, or governors of the public charities of the town, were changed, in pursuance of the king's mandate.

1688.—An expensive toll-cause, between the borough of Tewkesbury and the city of Bristol, was tried in London, and decided in favour of Tewkesbury.

1692.—The royal aid, for this borough, was £.347. 4s. 6d.; and the poll-tax, in 1694, was £.207. 7s.

1706.—Mrs. Elizabeth Dowdeswell gave £.80 towards the repairs of the church; and in 1723, she bequeathed a large silver flagon, for the use of communicants.

1721.—In June, there was so high a flood, that boats were used in various parts of the town.

1725.—An officer in the army was killed, in a duel, at the White Hart, and was buried in the church.

1725.—Mrs. Ann Hancock left by will to the church, a large silver cup and cover. These were exchanged, in 1730, for two silver plates, for the offerings at the sacrament. In her lifetime, she gave a massive silver salver to the church.

1726.—Mr. Thomas Tovey, of London, presented to the parish the two fine folio prayer-books which are now used in the communion service.

1727.—This year was remarkable for the number of floods of the Severn and Avon; there were not less than twenty, some of which did considerable damage.

1729.—Many persons died here, in the summer, of sore throats and fevers: those who were thus affected, were generally carried off in the short space of about twenty hours.

1731.—The Right Honourable Anne, Dowager Countess of Coventry, of Strensham, presented the finely-wrought communion table cloth and two cushions, which are in present use at the altar.

1734.—The Right Honourable Lord Viscount Gage made a present of a fire-engine to the corporation.

1739.—On Dec. 25, a very severe frost began, and continued till the 19th of February. The Severn was so frozen, that loaded waggons and horses passed over it at the Upper and Lower Lodes; and a whole sheep was roasted on the ice, above the quay bridge.

1743.—On Aug. 18, there was a most violent storm of hail at Tewkesbury: the damage sustained at the church was very

considerable; and it was estimated that it cost £.400 to repair the windows which were broken by it in private houses within the town.

1745.—On April 2, a barge, in passing up the river Avon, was carried over the stanchard, near the Long Bridge, but received little damage.

1770.—This year produced the greatest flood ever known at Tewkesbury; it was occasioned by an immense fall of snow, succeeded by a heavy rain, which continued without intermission for three days and three nights. On Nov. 17, the water came up St. Mary's-lane and Gander-lane, and united in Church-street; and on the 18th, it rose so high, that boats were necessary in order to pass from the Hop Pole Inn to the Mason's Arms. In St. Mary's-lane, the lower stories of the houses were entirely under water, and many of the inhabitants were taken out at the chamber windows, with their beds and furniture. The flood was also in the church, so that divine service could not be performed. Two houses, near the mills, were washed down, but no lives were lost.

1771.—On Oct. 11, the tide flowed five inches perpendicular in the river Avon—a circumstance never before known.

1773.—In May, there was such an extremely high flood, that people feared a repetition of the scenes which occurred during the extraordinary inundation in 1770.

1776.—On Jan. 6, and three succeeding days, such a quantity of snow fell as to render the roads impassable. On the 9th, a severe frost began, and continued till Feb. 1, when such a sudden thaw occurred, as to inundate the neighbourhood, and the flood continued till the 13th of March.

1784.—Nearly four hundred of the townspeople signed an address to the king, expressive of their confidence in Mr. Pitt and his colleagues.

1788.—On July 16, our late most gracious sovereign, George the Third, with the queen, the princess-royal, and the princesses Augusta and Elizabeth, attended by Lady Viscountess Weymouth, Lord Courtown, and the Hon. Colonel Digby, during their residence at Cheltenham for the benefit of his majesty's health, honoured this borough with a visit—

the king and his attendants riding on horseback, and the queen, the princesses, and Lady Weymouth, in carriages. They were received with hearty acclamations from a large concourse of people; and his majesty appeared to be highly gratified with the demonstrations of loyalty with which he was greeted. The royal party first rode through the town, alighted to view the tumulus at the Mythe, and expressed themselves extremely delighted with the prospects which it afforded. They afterwards inspected the interior of the abbey church, and were much interested with the sacred edifice. His majesty then mounted his horse, and returned with his family and attendants to Cheltenham. A general illumination took place in the evening, in honour of the event.—On the 24th of the same month, their majesties and suite passed through the town, in their way to and from the seat of the Right Hon. the Earl of Coventry, at Croome; upon this occasion, a neat triumphal arch was erected across the High-street, near the Swan Hotel, which was ornamented with the royal arms and suitable inscriptions, and decorated with flowers and evergreens.—The town was honoured with four other visits from the royal party, during their abode at Cheltenham; in all of which, the monarch, by his agreeable and condescending behaviour, appeared in the most amiable point of view.

1788.—The close of this year, and the beginning of 1789, were remarkable for a continued frost of eight weeks. The rivers were unnavigable for more than five weeks.

1792.—On April 19, there was such a great fall of rain, that the water rose in the Severn to the height of sixteen feet within twenty-four hours.

1793.—The floodgate pit, at the quay, was emptied, in order to obtain the contents of a boat, laden principally with iron, which had been sunk about a year previously.

1795.—On Feb. 8, there was a greater inundation than had been experienced for many years, the water being nearly as high as it was in the memorable flood in 1770.

1795.—On July 1, provisions being dear, a mob of women assembled at the quay, and seized a quantity of flour, in order

to prevent its being sent off by water. Five of the most active of them were tried at the Gloucester assizes, and sentenced to six months' imprisonment each.

1798.—In April, during the heat of the French revolutionary war, the inhabitants of the borough formed themselves into an association, which they denominated "The Royal Tewkesbury Volunteer Infantry." His majesty's ministers, however, declined the tender of their services, in consequence of the corps wishing to stipulate that they should not be required to go more than six miles from home.

1798.—On Aug. 14, the tide flowed in the river Avon, and carried a boat, laden with goods, a distance of more than a hundred yards. This was the only time, excepting in 1771, that the tide was ever known to affect this river.

1800.—Sir Richard Colt Hoare, bart. in his library at Stourhead, has a large folio volume of beautiful and accurate drawings in bistre, by James Ross, taken in 1800. They consist of twenty-nine of Tewkesbury abbey church, and one of Miss Collett's house. There are also thirty-three relating to Gloucester, viz. thirty-one of the Cathedral and its monuments, one of St. Mary de Lode church, and one of the south entrance to St. Magdalen's chapel.

1803.—A respectable troop of volunteer cavalry, consisting of a captain, a lieutenant, a cornet, and sixty privates, was formed by the inhabitants of the town and neighbourhood. When the return of peace, in 1814, rendered their services no longer necessary, it was agreed by the corps, that their general fund, which had been accumulating during their service of eleven years, and amounted to upwards of £.600, instead of being divided among the members individually, should be applied to charitable purposes. To the Tewkesbury National School, Lancastrian School, and Lying-In Charity, one hundred guineas were respectively given, and the residue of the fund was presented to the Gloucester Infirmary. The officers of the troop were so pleased with this liberal conduct of the privates, that they invited the whole corps to a handsome dinner at the Plough Inn, where this fine troop

of yeomanry assembled for the last time. James Martin, esq. was captain of this troop; Charles Edward Hanford, esq. lieutenant; and Henry William Harris, esq. cornet.

1803.—A corps of volunteer infantry was established at Tewkesbury; it consisted of three companies, of sixty men each, with a captain, lieutenant and ensign, to every company. A sum exceeding £.600 was raised by a voluntary subscription, for the purpose of providing clothing for the privates. In 1804, the ladies of the town and neighbourhood promoted a subscription for purchasing a pair of elegant colours, which were presented to the regiment on Shuthonger Common, on the 9th of May, 1805, by the lady of William Dillon, esq. of the Mythe; after which the corporation of the borough gave the privates a substantial dinner. This respectable corps was disbanded in 1808, when upwards of two hundred of the privates volunteered to serve in the Gloucester local militia.*

1805.—On Feb. 27, a serious disturbance took place at Tewkesbury, in consequence of the unpopularity of the inspector and surveyor of taxes. Effigies, representing the persons of James Hawkins, esq. the inspector, and Thomas Holland, esq. surveyor, were drawn through the public streets in a cart, in the manner in which criminals are conveyed to the place of execution, the church bell tolling as for a funeral; the figures were then torn to pieces, and thrown into the river Swilgate, to signify that the persons thus represented deserved that fate; the church bells afterwards struck up a merry peal, to denote joy at their supposed death. At the ensuing assizes

* At the formation of this regiment, the following were the officers:
Captains.—Samuel Trueman, Thomas Vernon and Robert Bennett.
Lieutenants.—James Kingsbury, Omwell John Lloyd and James Gorle.
Ensigns.—John Terrett, William Smith and Thomas Dawson Lewis.

During the existence of this regiment, the following gentlemen filled the undermentioned official situations: *Major Commandant.*—John Pitt Nind. *Captains.*—James Kingsbury, James Gorle and Thomas Andrew Holland. *Lieutenants.*—Thomas Dawson Lewis, Charles Prior, William Smith, Nathaniel Chandler and James Peace. *Ensigns.*—John Richardson and Charles Banaster. *Adjutants.*—Austen Baker and Nathaniel Chandler. *Pay Master.*—Wm. Smith. *Quarter-Master.*—Chas. Banaster. *Chaplain.*—Rev. William Prosser. *Surgeon.*—Benjamin Holland.

for the county of Gloucester, William Martin, esq. a most respectable wine-merchant, together with James Attwood, John Sash, and Henry Ricketts, labourers, were indicted for conspiring together for the purpose of creating a riot, and vilifying the persons and characters of two of his majesty's officers. Mr. Martin, after a long trial, in which Mr. Erskine (afterwards Lord Chancellor Erskine) exerted his extraordinary talents in his defence, was acquitted of the whole of the charges; the others were acquitted of the riot, but found guilty of endeavouring to bring the inspector and surveyor of taxes into ridicule and contempt, and of having used calumniatory and improper language respecting them in their official capacities. Attwood was subsequently sentenced, in the Court of King's Bench, to be imprisoned for twelve months, and Sash and Ricketts for nine months, in the county gaol of Gloucester.

1807.—In Jan. there was a remarkably high flood, occasioned by a sudden thaw: it was nearly as high as that in 1795.

1809.—On Oct. 25, the jubilee, to commemorate the fiftieth anniversary of the accession of King George the third to the throne of his ancestors, was celebrated at Tewkesbury with most fervent demonstrations of loyalty and attachment. The festival was ushered in by the ringing of bells, the shops were kept closed, and the body corporate, the volunteer cavalry, and most of the inhabitants, attended divine service. Five fine oxen, one of them presented by the Right Hon. the Earl of Coventry, and a proportionate quantity of potatoes and beer, were distributed among the poor. A large party of the most respectable persons in the town and neighbourhood dined at the Swan Inn, and a splendid ball took place in the evening. An appropriate medal was given by Henry Fowke, esq. the town-clerk, to the principal inhabitants and neighbouring families; and a loyal and dutiful address was presented on the occasion to his majesty.

1810.—At a public meeting, on Sept. 13, it was agreed, that a canal from Tewkesbury to Cheltenham would be highly advantageous to both towns; a committee was appointed in

furtherance of the object, but the expenses of the undertaking prevented its being carried into effect.

1811.—A society was formed for the purpose of supplying the town with sea-fish; but it was soon found that the demand for the article was insufficient to make the speculation a profitable one.

1811.—A society, denominated the "Tewkesbury Prince Regent Survivorship Society," was formed. It consisted of twenty respectable individuals, who agreed to contribute three pounds quarterly for ten years, and at the expiration of that period to divide the principal and interest among the surviving members. Only one member died during the existence of the society. The money was vested in the funds; and at the division, in 1821, the nineteen surviving members received £.169. 18s. 2d. each.

1814.—During a flood, in the spring, the water was so high in the meadows and upon the turnpike-roads, that persons sailed in boats completely around the town. This had frequently been done in former floods, but the roads are now so much raised, that there is no probability of its ever being accomplished again.

1814.—On June 23, the day on which the proclamation of peace between England and France was made, every poor man in the parish was presented with a shilling, and every poor woman with sixpence. The money was raised by subscription. There was also a public dinner, a ball, and a general illumination.

1816.—On Dec. 5, a town meeting was held, to adopt measures for affording employment to the industrious poor, during a temporary stagnation in the hosiery business. The directors of the poor reported, that three hundred and six parishioners, who, with their wives and children, made a total of eight hundred and fifty-three persons, received weekly relief; and that of this number one hundred and fifty-seven were frame-work knitters, and others employed in the manufacture of cotton hose, who were entirely destitute of work. It was therefore agreed to raise a fund, by subscription, for

the purchase of cotton; which should, under the direction of a committee, be manufactured into stockings, during the winter months, by such parishioners as could not otherwise procure labour. Four thousand pounds was considered necessary for establishing a sufficient fund, and a sum considerably exceeding that amount was subscribed in a very short time, wholly among the inhabitants of the parish. When the manufactured stock was disposed of, the whole amount of principal and interest was returned to the subscribers.

1817.—On Nov. 19, the day appointed for the funeral of her Royal Highness the Princess Charlotte Augusta, daughter of his present Majesty, and consort of his Serene Highness Prince Leopold of Saxe Cobourg, was observed with the solemnity which the melancholy occasion demanded. No market was held; all the shops, as well as the windows of most of the private houses, were kept closed; divine service was performed twice in the abbey church; the various dissenting places of worship were opened; and the whole population evinced such religious respect on the mournful occasion, as in no similar instance had ever been witnessed. On the following day, addresses of sympathy and condolence were voted to her royal father and her husband, on the severe loss which they and the nation had sustained by the decease of the

“ Fairest bud of England’s hope.”

1818.—On March 4, several tons of lead were stripped off the roof of the abbey church, during a violent storm of wind.

1818.—A society, called the “Clerical Association of the Vicinity of Tewkesbury,” was instituted, for the purpose of discussing matters relating to the established church, and for promoting friendly intercourse and communication among its ministers. The society ceased in 1828.

1820.—On Jan. 21, the representatives of the borough in parliament sent £.100 each, in aid of the subscription for the relief of the poor, during a most inclement season.

1820.—Jan. 31, on the arrival of the melancholy news of the death of “our good old king,” George the third, the shops were immediately closed and continued partially shut until

after his interment. Two days afterwards, his successor was proclaimed, in front of the Tolzey, by the town-clerk, attended by the corporation, and many of the most respectable inhabitants. An address of condolence, on the death of the late king, and another of congratulation, on his present majesty's accession to the throne, were subsequently voted by the corporation. Similar addresses were also voted by the inhabitants.

1820.—The surveyors of the bye-roads, having filled up a newly-made trench in the Oldbury, near the gaol, adjoining to the garden of the late Mr. Olive, without having given such a notice as the law requires, an action for trespass was brought against them, and the damages and costs awarded to the plaintiff, with the costs of defending the action, &c. amounted to upwards of £.520. The surveyors having neglected to call a vestry-meeting to sanction their proceedings, the parish refused to pay their expenses; but a voluntary contribution was made by the inhabitants of the town, towards reimbursing them their losses, in 1828.

1821.—On July 19th, the day of the coronation of George the fourth, every poor person in the parish was presented with a pound of good beef and a pint of ale, excepting children under fourteen years old, who were allowed half the quantity.

1822.—At the Michaelmas borough sessions, an appeal was heard against the accounts of the directors of the poor, on the ground that many of the charges were illegal and excessive. The recorder presided; and the judgment of the court was, that the sum of £.72. 1s. 2d. the costs incurred by the directors in a prosecution for child murder; and the sum of £.8. 19s. 2d. for the prosecution of persons for assaults upon the borough constables, must be disallowed, because the consent of the parish at a vestry meeting had not been obtained prior to the commencement of such prosecutions; that several items in the directors' accounts should have been paid out of a borough stock, and not from the poor's rates; that the charge of excess had not been made out, and that therefore each party should pay their own costs. A parish meeting subsequently ordered, that the above-mentioned sums should be

re-paid to the directors, out of the first rate that should be collected for the relief of the poor. Since that period, borough rates have been regularly ordered at the sessions.

1825.—From a survey and admeasurement, made in 1825, there appear to be two thousand three hundred and thirty-three acres of land in the parish of Tewkesbury.

1827.—In July, the large floodgate pit, at the quay, was emptied. This arduous task was voluntarily undertaken by twenty-four labourers, with no expectation of reward, excepting what might arise from the sale of such property as the pit contained. It occupied them ten days and nights, but they were very poorly paid for their labour.

1827.—New standard weights and measures were obtained, for the use of the town, pursuant to act of parliament: they cost upwards of £.160.

1828.—An union of the Mythe Brydge and Road Trust with the old district of Tewkesbury Roads was attempted. At a general meeting of the commissioners of the roads, the proposition was negatived by a majority of fifty-four to three.*

1828.—An offer being made to light the town with gas, a piece of land, adjoining the rivers Avon and Carron, was purchased, with the intention of erecting a gasometer. The preparatory expenses however appeared so great, and the returns so uncertain, that the project was abandoned, and the land was disposed of.

* The most strenuous opposition was made to this proposal by many of the trustees of the old district of roads; particularly by Mr. Caddick, to whom the public is indebted for the most indefatigable and praiseworthy exertions, not only for continually promoting improvements upon the turnpike-roads, and guarding the interests of the mortgagees, but for assiduously aiding those measures which he considers calculated to advance the prosperity of the borough, or add to the welfare and comfort of its inhabitants. He published some judicious and excellent remarks on the subject of the union of the road trusts, and proved that, by acceding to the proposal, the funds of the old roads would suffer annually a loss of upwards of £.1700, besides contingencies. For the great and effective exertions of Mr. C. on this occasion, he deservedly received the thanks of his brother trustees.

APPENDIX.

No. 1.

[Referred to in Chapter 2.—Page 23.]

*Liberties and Free Customs granted by Robert and William,
Earls of Gloucester, to the Burgesses of Tewkesbury.*

FIRST, every burgh shall pay 12*d.* rent per annum for all services; and every burgess may, at inclination, grant, mortgage, sell, or in any other manner alienate, any burgage of his own purchase to whomsoever he pleases, saving the lord's service: and if that burgage devolves by inheritance, his heir or heirs shall hold it; and his next heir, at the decease of his predecessor, from whom the right ought to descend to such heir; and he shall have seisin immediately, without making any exhibition to the bailiff or steward: and if burgesses should have two burgages, and wish to lease one of them, they may grant the same liberties to the lessee which they themselves enjoy; and if any one hold half a burgage in chief of our lord the earl, he shall enjoy the same privilege as if he held a whole one. *Item.*—The burgesses owe no suit against their will at the mill, or in fulling or dying cloth. *Item.*—No burgess shall give heriot or relief for his burgage, but may marry his son or daughter, without soliciting licence from any one. *Item.*—Any one may sell his wood, horse, or any other article he legally holds, without licence of the lord. *Item.*—By whatsoever death any burgess may die, criminal punishment excepted, his wife and children shall have his goods; but if he have none, his next relatives. *Item.*—A burgess, if through distress of circumstances he is obliged to sell or mortgage his burgage, ought first, for a second or third time, to ask his heir to find him necessaries; and if he refuses, such burgess to follow his own inclination. *Item.*—No free tenant of another lordship, if he have a burgage, is at liberty to take the cattle or goods of his tenant, *extra burgum.* *Item.*—Every burgess may brew and bake, without licence, toll, or custom; and he may make *toralls*, dovecotes, and a horse or hand-mill: and if he shall have been summoned to the hundred, and shall have gone upon his own business out of the town, or be ready to set out, provided he

has one foot in the stirrup, and can bring two neighbours to prove it, he shall be free. *Item.*—The knights and free tenants shall be free in the hundred, and the market from toll, for all things sold or bought for their own use, unless they should be in trade. *Item.*—My lord, the bishop, shall be free concerning his demesne table, if his homagers pay custom. *Item.*—The templars, hospitallers, and monks, pay custom, unless they have a charter of Earl William, or Earl Robert. *Item.*—A cart, laden with corn or pease, shall pay custom: the buyer shall give for the said cart, to wit, one halfpenny; a cart, laden with different wares, 1d. stallage, to wit, a horse-load; a seller of iron, who shall carry the iron, one farthing, to wit, for the load one farthing; to wit, for six pigs 1d. and for six sheep 1d. and for five lambs 1d. *Item.*—Any ware of 3d. value or less, shall be free from toll: if it be of higher value it shall pay. *Item.*—Chapmen shall pay one farthing for stallage to the lord; and the bringer of a piece of linen for sale, even though he should cut it, one farthing. And all the burgesses, knights, and free tenants of the above honour are quit from toll at Gloucester, and through the whole county, except for raw skins and hairy hides. *Item.*—No burgess is obliged to attend the hundred out of the town, any summons notwithstanding.

No. 2.

[Chapter 2.—Page 24.]

Charter of King Edward III. reciting and confirming previous Grants to the Burgesses of Tewkesbury; and also granting further Privileges.

From the Roll of Charters of the eleventh year of King Edward III.
No. 21.


THE King, Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, Bailiffs, and all his faithful subjects Health:

We have inspected the charter of Lord Gilbert heretofore Earl of Gloucester and Hertford, in these words; Gilbert de Clare, Earl of Gloucester and Hertford, to all whom these presents shall come Health. Whereas in time past William and Robert heretofore Earls of Gloucester and Hertford; our progenitors, each one after the other, for them and their heirs, granted and confirmed to their burgesses of Tewkesbury and their heirs and successors, the liberties underwritten:

First, that the burgesses of the borough aforesaid should have and hold their burgages in the borough aforesaid by free service, that is to say, every of them holding one burgage should have and hold it by the service of twelve-pence by the year to the said earls to be rendered ; and if they held more, then they should have and hold by the service of twelve-pence a year for every one ; together with the service of doing suit at the courts of the said earls of the borough aforesaid, from three weeks to three weeks for all services. So that, after the decease of every of the aforesaid burgesses, his heir or heirs should enter into the burgage or burgages aforesaid, of whatsoever age or ages he or they should be, and the same should hold free from relief or heriot. And to the said burgesses, and every of them, that he or they, who had a burgage or burgages of his or their own purchase, in the said borough, might at their own wills sell, mortgage and exchange the same with other burgesses, without any redemption to be made. So that the burgesses to whom such burgages were sold, mortgaged or exchanged, their charters or writings, which they had thereupon, before the steward of the aforesaid earls in the court of the said borough should shew forth. And if any of them should hold half a burgage, he should have it with the same liberty with which the tenants of a whole burgage had and held theirs, according to the quantity of their burgage. And that no burgess of the borough aforesaid, by reason of his burgage or half burgage, should in any manner be taxed or make any ransom of his blood, or be disquieted or disturbed by reason of the sale of any horse, ox, or any other their cattle whatsoever ; but every of them should use their merchandises without challenge. And to the said burgesses, that they might make their testaments, and their chattels and their burgages which they had of their own purchases they might lawfully dispose in their testaments, at their own wills. And if it happened that any of them should become poor, whereby he should be necessitated to sell his burgage, having first asked of his next hereditary successor, or before his neighbour, three times, to find him his necessities in victuals and cloathing, according to his quality, which if he would not do, it should be lawful for him at his own will to sell his burgage for ever without challenge. And to the said burgesses, that they might make bread for sale in their own or others' ovens ; and beer or ale for sale, in their own or others' furnaces, saving or so that they kept the king's assize. And that they might make ovens or furnaces, provide beds or lodging, and hand mills, without the hindrance of the earls aforesaid or their bailiffs whatsoever. And that none of them should be obliged to come out of the borough aforesaid, by any summons, to the hundred of the said earls of the honour of Gloucester, in the county aforesaid, by reason of their burgages aforesaid. And if any stranger, who was not a burgess, nor the son of a burgess, should buy a burgage or half a burgage in the said borough, he should come to the next court following of

the said borough, and do his fealty, and pay a fine for his entry. And that all the burgesses who should hold a burgage or half a burgage, and who should sell bread and beer, should come to the law-day and the soke-day, and there should be amerced for their assizes broken, if they had been amerceable by the presentment of twelve; so that every burgess should answer for his family, sons and tenants, unless they should be attached to answer for any trespass at the day aforesaid. And to the said burgesses, that they should be quit of toll and custom within the dominion of the aforesaid earls, in the honour of Gloucester and elsewhere, in England, according as they antiently used to be. So that no stranger should buy corn in the borough aforesaid, nor put it in a granary or store, nor keep it above eight days, viz. between the first day of August and the feast of All Saints, which if he should do, and thereof be convicted, should be amerced at the will of the aforesaid earls or their bailiffs. Nor after the feast of All Saints and the first day of August, should buy corn to put and keep in a granary or store, nor carry it by water, without the licence of the aforesaid earls or their bailiffs of the borough aforesaid, and should pay the customs. And that no stranger should be received by the steward, clerk, or by any other on the part of the said earls, to be within the liberty aforesaid, unless it should be testified by lawful men of the borough aforesaid that he was good and faithful. And if any burgess should be out of the borough at the time of summoning the court aforesaid, and cannot reasonably be warned, he should not be amerced for his default. And if any stranger should be received within the liberty of the borough aforesaid, he should find sureties that he should carry or behave himself faithfully and in good manner to the aforesaid earls and their bailiffs, and orderly or quiet to the commonalty of the said borough. And that the said burgesses should be bailiffs and serjeants of the said borough, as often as they should be elected thereto, at the will of the aforesaid earls, their stewards and bailiffs, and by the election of the commonalty of the borough aforesaid, from year to year. And that the burgesses aforesaid should have common of pasture for their cattle in the common pasture of the borough aforesaid, according to the burgages which they had in the same borough, as hitherto they have accustomed to have.

We, therefore, liking and approving the gifts and grants aforesaid, do, for us and our heirs, grant and confirm the same for ever, these being witnesses, The Lord Bartolus Badelesmere, Roger Tyrrell, Gilbert of Saint Andoen, Giles de Beauchamp, John de Harecourt, Robert de Bowea, John Tyrrell, knights, Master Richard de Clare, John de Chelmsford, clerks, and others. Given at Rothwell, in the county of Northampton, the twenty-sixth day of April, in the year of grace one thousand three hundred and fourteen, and in the seventh year of the reign of King Edward the son of King Edward.



We, therefore, approving and liking the gifts, grants and confirmations aforesaid, do grant and confirm the same, for us and our heirs and successors, as much as in us lies, to the now burgesses of the town aforesaid and their heirs and successors, burgesses of the said town, as the charter aforesaid doth reasonably witness or import.

And moreover, whereas, in the charter of the said earl, it is contained, that the said burgesses be free of toll and custom within the lordship or dominion of the aforesaid earl, in the honour of Gloucester and elsewhere, in England, according as they antiently have used to be; We, for a fine which the said burgesses have made with us, have granted for us and our heirs, that the said burgesses and their heirs and successors, burgesses of the said town, be for ever free of toll, pannage, morage, pontage, quayage, lastage, pickage, stickage and stallage, and of all other customs, as well within the liberty of the said earl or elsewhere, throughout our whole realm; these being witnesses, The venerable fathers John Archbishop of Canterbury, primate of all England, Anthony Bishop of Norwich, Master Robert de Stratford archdeacon of Canterbury our chancellor, Master William La Zouch our treasurer, Richard Earl of Arundell, Robert de Ufford Earl of Suffolk, Henry de Ferrers, John Darcy le Neven steward of our household, and others. Given by our own hands, at the Tower of London, the twelfth day of August, by the king himself, and for a fine of twenty marks. Gloucester.

No. 3.

[Chapter 2.—Page 24.]

Petition of the Commons, anno 8 Hen. VI. 1430.

From the Rolls of Parliament.

A Roy notre tres Soverain Seigneur, et a les Seigneurs Espirituals et Temporels en cest present Parlement.

BESEECHETH meekly the Bailiffs, Burgesses and Commonalty of the town of Tewkesbury, within the county of Gloucester; that whereas the said town of Tewkesbury, within the said county of Gloucester, is nigh adjoining to the river of Severn within the same county, which river is common to all the liege people of our Sovereign Lord the King, for to carry and re-carry, within the stream of the said river, in boats, trows, and otherwise, all manner of merchandise and other goods and chattels to

Bristol, and to every part adjoining unto the said river; in which river divers persons of Tewkesbury aforesaid, oftentimes and now of late, have charged their own vessels and trows, with wheat, malt, and other corn and goods to the value of £500; and as the said vessels and trows so charged have conveyed in the said river towards the said town of Bristol, by the coasts of the Forest of Dean, within the said county, adjoining to the said river, there have come great multitudes of people, and routs of the commons of the said forest, and of the hundreds of Bledisloe and Westbury, with great riot and strength, in manner of war, as enemies of a strange country, and have with force despoiled the said persons of the said vessels, and taken from them all their corn and goods within the said vessels, and them have menaced and threatened to put to death, if they made any resistance, or any suit, quarrel, or complaint for the same, to the great hindrance, loss, and impoverishment of them, and oppression to all the country adjoining. And since ye, our Sovereign Lord, by the advice of your council, sent your letters of privy seal, directed to divers persons of the said forest, to make proclamation, that there should no man of your said forest be so hardy to disquiet or disturb your people in passing by the said river, with all manner of corn or goods and chattels, or any other manner of merchandise, upon the pain of treason; after which proclamation so made, the said trespassers came to the said river with greater routs and riots than ever they did before, setting no prize by your said letters of privy seal, and there despoiled eight trows of wheat, malt and flour, and other divers goods, and the men of the said trows cast over board, and divers of them drowned, and the hawlsers of the said trows cut in twain, and menaced the owners of the said goods, and the said trowmen, that they should not be so hardy as to carry any manner of victual, by the said stream, up nor down, for lord nor lady; and that they would hew all to pieces the said trows, and their goods heave overboard, if they came any more by the coasts of the said forest; for which riot and rebellion there dare no person of Tewkesbury aforesaid, nor of the country adjoining, carry corn nor other goods in the said river; nor sue to have remedy for such oppressions and wrongs done to them; inasmuch as the said forest and hundreds, being large countries, and wild of people, and nigh adjoining to Wales; and all the commons of the said forest and hundreds being of one affinity in malice and riot, setting no prize by the law, nor by the officers, nor by the ministers thereof; nor caring for the process nor the punishment of the law of the land, insomuch that they will not obey any minister of the law, nor the execution thereof but at their own lust; nor the officers nor the ministers of the law of the said county in any wise dare come within the said forest, or execute any matter or process of law against the will or intent of the commons of the said forest and hundreds.

Please it therefore, our said sovereign lord, by the advice and assent of all the lords spiritual and temporal in this present parliament assembled, considering the mischiefs aforesaid, and the inconvenience that is likely to fall thereof; to ordain, by authority of this present parliament, that in every such case to come, or within the year last past, as follows:—The sheriff of the said county, or the bailiffs of the town of Gloucester for the time being, or one of them, on pain of forfeiture of £.20 to be levied of their lands, goods and chattels to the king's use, to make proclamation at Gloucester aforesaid, within four days next after notice made to them or to any of them by the said persons so wronged, and the trespasses done, that the said trespassers restore in the same town of Gloucester within fifteen days after the said proclamation, to the said parties so wronged, their said corn and merchandise, goods and chattels so taken, or the very value of them, with reasonable amends for their harms of such taking. After proclamation, if the said trespassers restore not the said corn, merchandise, goods or chattels, or the value of them, to the parties so aggrieved, in the form abovesaid, with reasonable amends for their harms; or if the said trespassers be not brought to your prison, to the castle of Gloucester, for the said trespasses, by the officers of the said forest and hundreds, or by the commonalties of the same, to be demeaned in such case by the king and his council; that then by consideration of the statute of Winchester set for the robbery of any person, which sueth an action for him that is robbed, against the hundred within which the said robbery be done, after the form of the said statute, the same commonalties be charged of the same corn and merchandise, goods and chattels so taken, or of the very value of them, to the parties so grieved; and to satisfy them of their harms for the same taking. And that the said parties so wronged and grieved, may have their general actions of debt against the said commonalties of the said forest and hundreds, of the sum of money to the which the value of the corn, merchandises, goods and chattels so taken do extend. That although the commonalties be no commonalties incorporate, that they have process in such actions of debt, by summons, attachment and distresses, as is to be had in any action of debt at common law; so that if the said commonalties make default at the second distress in such actions, that then the party that sueth have judgment to recover his debts against the said commonalties, after the disposal of their goods, in the form abovesaid, with his reasonable costs and damages. And whatever issue triable by inquest in the said forest and hundreds happeneth to be taken in such actions, that it be tried by inquests of the body of the said county, out of the same forest and hundreds. And that the goods and chattels of every singular person of the said commonalties, for the time being, be had, taken and holden, as the common goods and chattels of the same commonalties, touching the return, service, and all execution of the writs, pro-

cesses and judgments, in and of the said actions. And that every singular person of the said forest and commonalties have power, by the authority of the same parliament, to attach and arrest the said trespassers by their bodies, as well within the said forest as without, and them so arrested to commit to their said prison. And that the keeper and warden of the same prison, upon pain of forty pounds, to be levied of his goods and chattels, lands and tenements to the king's use, safely keep every person to his ward so committed, until the time the king or his council have of record their deliverance ordained and provided. And if the goods or chattels of any singular person or persons of the said forest or hundreds, being not guilty of such despoiling, happen to be put in execution because of any such actions or judgments, that then the action of debt or trespass upon their case may be had against the said trespassers, to recover the damages as well for the value of their goods and chattels so put in execution, as for their damages and costs that happeneth to be had, because of the said actions of debt; having such processes in the said actions of debt or trespass, as are to be had in the said actions of debt for the said persons so endamaged and despoiled.

Resp. Soit fait comme il est desire par la petition.

No. 4.

[Chapter 3.—Page 31.]

*These are the Names of the Noblemen that were slain at Tewkesbury Field.**

From a MS. in the possession of J. B. Nichols, Esq. F.S.A.

THE Lord Edward Prince, son of King Henry, in the field of Gaston beside Tewkesbury slain, and buried in the midst of the convent choir, in the monastery there, upon whom God have mercy.

* This list is nearly the same as that given by Leland in his *Itinerary*; the latter mentions an additional name, viz. Henry Wately, esq. killed and buried at Tewkesbury; but omits Lewis Myles, Leph. Feild, Mr. Gogh, Sir Thos. Tressam's clerk and Turnbull.—Hutton, in his *Battle of Bosworth Field*, names Sir Thomas Harvey among those slain in the field; and Sir William Grimesby among the beheaded. He also calls Sir William Car, Sir William Carey; Mr. Fielding, Sir William Fielding; and Mr. Harvey, Sir Nicholas Harvey.

Lord Edmund, late Duke of Somerset,* taken and beheaded, and buried before an image of St. James the Apostle, at an altar in the said monastery church, on the north part.

Lord John Somerset,† brother to the said Duke of Somerset, slain in the field there, and buried with his said brother before the image of St. James, towards Mary Magdalen's altar.

Lord Thomas Courtney Earl of Devonshire,‡ slain in the same field, and buried about the midst of the said altar of St. James in the said monastery church.

Lord Wenlocke,§ slain in the field, and his body taken from thence to be buried.

Sir Humfrey Hadley,|| there taken and beheaded, and buried with the

* He was the second son of Edmund Beaufort, the first Duke of Somerset, who was slain at the battle of St. Alban's; and was brother of Henry, second duke, whom he succeeded, on his being beheaded after the battle of Hexham, 3 Edw. IV. 1463. At the battle of Barnet, this Edmund had the command of the archers, placed betwixt the right and left wing of the Lancastrian army; and upon the loss of the day, he flew into Wales, to the Earl of Pembroke, and raised new forces for the restoration of Henry. He joined Queen Margaret and her son on their landing at Weymouth, and steadily supported the house of Lancaster until its final overthrow at Tewkesbury. The Duke of Somerset died without issue, and was the last of the Beauforts. His eldest brother, Henry, left a natural son, by Joan Hill, who was called Charles Somerset; he was created Earl of Worcester by King Henry the eighth, and from him the present ducal family of Beaufort is descended.

† The third son of Edmund Beaufort, the first Duke of Somerset, and brother to Henry and Edmund, the second and third dukes.

‡ The father of this nobleman was Thomas Courtenay, Earl of Devonshire, the steady adherent of Henry the sixth. He was attainted for being at Towton Field, and at length nobly fell in the Lancastrian cause at Tewkesbury.

§ Of Lord Wenlock's parentage, Dugdale says he could not find any thing. In 26 Hen. VI. he was knighted, and soon afterwards made constable of Bamburgh castle. At the battle of St. Alban's he was sorely wounded, and lent the king £.1033. 6s. 8d. He was made knight of the garter by Henry the sixth, and was attainted for siding with the Duke of York. He was with King Edward at Towton Field, and after the victory obtained a grant of the office of chief butler of England. In 1 Edw. IV. he was advanced to the dignity of a baron, and made a privy councillor. He subsequently took part with the Earl of Warwick against King Edward; and after the battle of Barnet, hastened to Queen Margaret at Beaulieu abbey. He left neither wife nor issue.

|| Leland calls him Haudeley; and Hutton, Audley.

aforesaid Thomas Courtney Earl of Devonshire in one sepulchre place before the said altar.

Sir Edmund H——, knt.* slain in the field, and Sir William Wittingham, knt.† slain also in the field, and both bodies buried also in the body of the said monastery church, called the parish church, beside St. George's chapel.

Sir John Delves the elder, slain in the said field; and Mr. John Delves his son, taken and beheaded; and both buried beside St. John's chapel, in the said parish church, and their bodies afterwards taken from thence to their own country.

Sir John Locknore,‡ slain also and buried in the said parish church, beside the bodies of Sir Edmund and Sir William beforesaid.

Sir William Vauxe, knt.§ slain in the said field, and buried in the said parish church, before an image of our Lady, in the north side.

Sir Servage of Clifton, knt.|| taken and beheaded; Sir Wm. Car, knt. Sir Henry Rose, knt. all beheaded and buried in the church-yard there.

Sir Willm. Lermouth, knt. Sir John Urmon, knt. Sir Thomas Seymor, knt. Sir Willm. Rowes, knt. all slain in the field, and buried in the church-yard there.

Sir Thomas Trisham, knt. taken and beheaded, whose body is buried in the said monastery church, before a pillar between the altar of St. James and St. Nicholas.

Sir Wm. Newborough, knt. taken and beheaded, whose body is buried in the parish church, beside the font of baptism there in the south side.

Mr. Henry Barrow, esq. slain and buried in the parish church, before an image of St. Clement, pope and martyr, and his body afterwards was taken from thence to his own country.

Mr. Fielding, esq. Mr. Harvy, recorder of Bristow, both slain in the field, and their bodies buried in the church; with many others.

John Gower,¶ sword-bearer of the prince; John Flord, banner-bearer of the Duke of Somerset; Henry Tressam, Walter Courtney, Robt. Acton,

* Leland has Sir Edmund Havarde; and Hutton has Hampden.

† Wickingham, according to Leland.

‡ Leland calls him Sir John Leukenor.

§ William Vaux, in the time of those great and sharp contests betwixt the houses of York and Lancaster, lost all for his adherence to King Henry the sixth; but at length Henry Earl of Richmond obtaining the crown, Sir Nicholas, his son and heir, had restitution thereof.—*Dugdale*.

|| According to Leland and Hutton, Sir Gervais Clifton.

¶ He was of the ancient family of Gower, of Sittenham, Yorkshire, ancestors of the Marquis of Stafford.

Lewis Myles, Leph. Feild of Westminster, Mr. Gogh, esq. Sir Thomas Tressam his clerk, — Turnbull, all taken and beheaded, and their bodies buried in the church.

Also the Prior and Lord of St. John's beside London, taken in the field, and with others beheaded, whose body being inclosed in lead was taken from thence unto his own place.

These were there presented to the King and pardoned:

Lady Margaret, queen; Lady Anne, princess; Sir Foskew, chief justice of England; Doctor Maked, John Throgmorton, Mr. Reynton, Mr. Wroghton, all pardoned.

Sir Hugh Courtney,* taken and afterwards beheaded.

No. 5.

[Chapter 3.—Page 26.]

Ancient Account of the Battle of Tewkesbury.

IN the twenty-first volume of the *Archæologia*, is an interesting account of King Edward the Fourth's Second Invasion of England, in 1471, translated from a French manuscript preserved in the public library at Ghent; from which we extract that portion relating to the battle of Tewkesbury.

In an introductory letter, written by Edward Jerningham, esq. F.S.A., to the secretary of the Antiquarian Society, it is said, that the manuscript appears to be an illuminated transcript of a report, drawn up by one of the followers of King Edward the fourth, in his final expedition from Zealand, anno 1471, and forwarded to the court of Charles the Bold, Duke of Burgundy, through whose advice and aid the same had been principally planned and effected.

The report is divided into four heads or chapters; is written on vellum, of a quarto size, and at the head of each of the four chapters is an highly finished illuminated miniature.

* By Dugdale's *Baronage*, it appears, that Henry the seventh advanced Sir Edward Courtenay, son to Sir Hugh Courtenay, (probably the above Hugh,) son of Hugh, younger brother to Edward late Earl of Devon, unto the title of Earl of Devon.

Miniature 1, represents the battle of Barnet.

Miniature 2, represents the battle of Tewkesbury. Edward appears conspicuous on a brown horse, in complete armour, bearing on his shield the royal arms of France and England, with a crown on his helmet, and charging at the head of his horse. In front of the Lancastrians, a young knight with light-coloured hair, appears just beaten to the ground, his head uncovered, and the uplifted sword of a knight, mounted on a white charger, richly caparisoned, just ready to strike it off. This probably was intended to represent the death of Prince Edward, by the hands of the Duke of Gloucester or Clarence: in front, the archers appear mutually engaged; the Yorkists, seemingly, with a plentiful supply of arrows at their feet.

Miniature 3, represents King Edward standing in armour, his shield emblazoned, without his helmet, and a gold crown on his head, witnessing the execution of the prisoners taken at Tewkesbury. The executioner (a remarkably large man) appears upon a platform of wood raised with two steps; his axe uplifted, ready to strike off the head of the Duke of Somerset, who is bending over a block, clad in armour, with long gilt spurs, without his helmet, and a white bandage over his eyes; the other prisoners stand close to the platform, with mournful countenances, their hands tied before. John Lonstrother, the Prior of Saint John of Jerusalem, stands foremost, dressed in a long black gown, with the white cross of his order (now Maltse) on his left breast.

Miniature 4, represents the attack made by Thomas Nevill, son to the Lord Thomas Fauconberg, and commonly called the Bastard of Fauconberg, upon London.

How the Queen Margaret, and the Prince of Wales her son, arrived in England; how after their arrival they assembled a vast army; of the great battle King Edward fought with them, and how the Prince of Wales was therein slain, and great numbers with him routed.

The king received intelligence, on the 16th of this month, (April,) that Margaret the pretended queen, in virtue of her usurped claim, accompanied by her son Edward the pretended Prince of Wales, with their adherents, were arrived in the kingdom, having landed on the western coast, and were advancing to encounter him with all the force they could muster, and that, bending their march still more to the west, they were making for the city of Exeter, where, with the assistance of numerous partizans in Cornwall, Somersetshire, and Dorsetshire, and other counties adjacent, the Duke (of Somerset), aided by the Earl of Warwick, had been enabled to espouse openly the quarrel of King Henry.

The said Edward and Queen Margaret were in a short time joined by great numbers of the people; in consequence of which, on the 29d day of

the same month, our sovereign lord resumed the field without delay, and moved forward with such rapidity, Edward and the queen advancing equally on their side, that he soon came to within eighteen miles of the place where they were posted, viz. in the city of Bath, and where, according to the information he received, they purposed to give him battle. Immediately on the receipt of this intelligence, the king drew up his army in the finest array, and remained under arms the whole of the night, in the hopes of fighting the said Edward and Margaret towards break of day; but Margaret and her son, when they had learned the king's resolution, and in what fine array his army was drawn up, changed their plan, and taking another route, marched with their whole force towards a strong city called Bristol, into which they were admitted through the aid and assistance of certain rebels, and were recruited by a supply of men, provisions, and money. Hereupon they resumed sufficient courage to sally forth out of the said city, and to offer the king battle as before; and on the 2d day of May, they chose and appointed a field for the combat, about nine miles from the town; as soon as this was made known to the king, he immediately advanced within two miles of Edward and Margaret; but they, as soon as the king's approach was proclaimed, broke up their camp, and marching during that night and the following day, being thirty-six miles, reached, with their whole army, the town of Tewkesbury. Intelligence of this being brought to the king, he instantly pursued them with his whole force, and made so rapid an advance, that on the 3d of May he came within three miles of Tewkesbury, and there lay encamped in the open fields: the following morning, the king moved forward in the finest order, and came before the town, where he found the rebels drawn up and marshalled in a wonderful strong position. The king hereupon recommending his cause and quarrel to our blessed Creator, attacked on the 4th of May, and through the aid of our blessed Creator, obtained a victory over his said rebels. In the battle, Edward, the brother-in-law of the aforesaid Duke of Somerset, called Marquis of Dorset, Earl Bouchier, and the Lord Wenlock, with many other noble knights and squires were slain; and there were made prisoners, Edmund, stiled Duke of Somerset, the Prior of Saint John, with divers other knights and squires.

How the Duke of Somerset and the Prior of Saint John, with several other Knights and Squires, made prisoners at the Battle, were beheaded in the Town of Tewkesbury.

The battle being thus over, the king entered the town of Tewkesbury, and therein caused to be beheaded, on the 6th day of the aforesaid month of May, the Duke of Somerset, the Prior of Saint John, together with several other knights and squires, and divers other gentlemen, who for a length of time had been the instigators of the rebellion.

These things being done, the king departed from thence the 7th day of the said month.

The king, continuing his march, arrived in London on the 21st of May, accompanied by many great nobles, and the prime gentry of the kingdom, with other warlike personages, to the number of 30,000 horsemen.

During the period which elapsed between the battle fought at Tewkesbury, and the king's arrival in London, Margaret, the pretended queen, with divers captains of the party of her son Edward, were made prisoners and placed in safe custody, in which they remained.

Here follow the Names of those who were killed at the last Battle, which took place at Tewkesbury, the 4th of May, 1471.

Edward, called Prince of Wales,
Sir John of Somerset,
The Lord of Weneloch,
Sir Edmund Hampden,
Sir John Wellenor,
Sir William Roos,

Sir John Delues,
Sir William de Vauby,
Sir William Fildind,
Sir Robert Wininguam,
Sir Nycolas Herby, and several
others, making a thousand.

Here follow the Names of those who were beheaded.

The Duke of Somerset,
The Prior of St. John, called Sir
John Longhenstod,
Sir William Votary,
Sir Gervase Clifton,
Henry Tresham,
John Delues,
Walter Courtney,
Loy Mills,

John Flory,
Robert Jackson,
John Sowen,
Sir Thomas Tresham,
Sir William Webingh,
Sir Hunerefry,
William Grynnsby, judged to death
and pardoned.

No. 6.

[Chapter 6.—Page 88.]

Abstract of the Grant of the Manor by King James the first.

THE King, by letters patent, dated 23d March, in the seventh year of his reign, in consideration of £.2453. 7s. 4½d. granted to the Bailiffs, Burgesses and Commonalty of the Borough of Tewkesbury and their successors—

His manor and borough of Tewkesbury, late parcel of the possessions of the monastery of Tewkesbury.

His rents of assize and of free tenants of Tewkesbury, amounting to £.8. 8s. 8d.

And certain houses in Tewkesbury, some of which are described as "messuages, tenements and burgages," and some as "messuages or tenements," without the addition of the term burgage.

Also all profits of courts of the said manor, of the yearly value of 6s. 8d.

Also his manor of Tewkesbury, sometime parcel of the possessions of Thomas Lord Seymour attainted.

And certain parcels of land in the Severn Ham* in Tewkesbury, and certain other parcels of land.

And the perquisites of court of the last-mentioned manor, amounting to 3s. 4d. a year.

Also his hundred of Tewkesbury, in the counties of Gloucester and Worcester, late parcel of the possessions of the said Thomas Lord Seymour, and the liberties thereto belonging.

Also the liberty called Tewkesbury Liberty.

Also the rents of assize of his free tenants within the hundred or liberty of Tewkesbury, of the value of 7s. 8d.

And the profits and perquisites of the courts of the hundred and liberty of Tewkesbury, of the value of £.1. 6s. 8d.

Also the manor and borough of Tewkesbury, late parcel of the lands and possessions called Warwick's and Spencer's Lands.

Also divers other messuages, &c.

Also his rents of assize, as well of free as of customary tenants, within the borough, of the yearly value of £.9. 17s. 11d.

And all his customary lands and tenements from which the same are payable.

Also his rents or duties called finestall, of the value of 19s. 2d.

Also his stallage in the market, &c.

Also his fines of the companies of taylor and mercers.

* The land in the Severn Ham, granted by these letters patent, (amounting to ninety-four acres, and let at £22. 3s. 4d. per annum,) was afterwards sold by the bailiffs, burgesses and commonalty to Mr. Ferrers; and in the grant thereof is excepted to the said bailiffs, burgesses and commonalty, and their successors, such right of common in and upon the land so granted as they and the inhabitants of the said borough were entitled to therein; and an exception to the said bailiffs, burgesses and commonalty of the liberty to take such custom for the drift of cattle in the said Ham as had been theretofore taken.

Also the tolls for stalls fastened to the ground, &c.

Also the perquisites and profits of the courts of the manor and borough of Tewkesbury.

Also all markets and fairs within the manor, borough, hundred and liberties aforesaid.

Also the office of bailiff of the hundred and liberty of Tewkesbury.

And all rents, amerciaments, tolls, &c. &c.

And the tolls and customs of the drifts in the Severn Ham aforesaid.

To hold unto and to the use of the said bailiffs, burgesses and commonalty and their successors for ever.

No. 7.

[Chapter 8.—Page 98.]

Some Account of the Order of Benedictines.

ST. BENEDICT, the founder of the order of monks bearing his name, was the son of a Roman senator, and born (according to his biographer, Pope St. Gregory the Great,) in the province of Nursia in Italy, in the year 480, and died in 543.

St. Anthony the Great is believed to have been the first person who collected a body of devotees, and induced them to live together under his superintendence. The earliest monastery is thought to have been founded by him, about the year 350 ; but there was no regular monastic order known until the appearance of St. Benedict, who founded twelve monasteries, the most eminent of which he erected on Mount Cassin, on a spot where a temple of Apollo had stood for ages.

This order is said by some to have been brought into England by St. Augustin in 596, but others think it was little known before King Edgar's time, when St. Dunstan and St. Oswald favoured the Benedictines in opposition to the secular clergy.

The Rule of St. Benedict, at the second council of Douzy in 876, was declared to be an inspired work, "of equal authority with the canonical scriptures;" and Leo, archbishop of Ravenna, calls it a divine Rule, dictated by the Holy Ghost, and leading infallibly to heaven.

The following is the substance of some of the principal Rules of the Order of St. Benedict, which the founder divided into seventy-three chapters or canons.

The monks were obliged to perform their devotions seven times within the twenty-four hours.—1. At *cock-crowing*, or *nocturnal*: this service was performed at two o'clock in the morning, and was taken from David's saying, "At midnight will I praise the Lord," and from a tradition that our Saviour rose from the dead at this hour.—2. *Mattins*: these were said at the first hour, or, according to our computation, at six o'clock; as at that time the Jewish morning sacrifice was offered, and the angels are also supposed to have acquainted the women with our Saviour's resurrection at this hour.—3. The *tierce*: this service was at nine in the morning, the time when our Saviour was condemned and scourged by Pilate.—4. The *sext*: this office was observed at twelve at noon, as the time when our Saviour was crucified, and the sun eclipsed to a total darkness.—5. The *none* was sung in the choir at three in the afternoon; as at this hour our Saviour expired, and it was also the time for public prayer in the Temple.—6. *Vespers* were said at six in the afternoon, the time of the evening sacrifice of the Jews in the Temple, and of Christ being taken down from the cross.—7. The *compline* was solemnly sung at seven o'clock at night, when Christ's agony in the garden was supposed to have begun.—After this service, the monks were not permitted to talk, but retired to bed in silence at eight o'clock; so that they had six hours sleep before the nocturnal began.—All were to sleep in separate beds, with their clothes and their girdles on, and a lamp to burn all night. Their beds were a mat, some straw, and a pillow: their covering, a blanket and a piece of serge.—Punishments were inflicted for disobedience in proportion to the extent of the crime, from simple exclusion from the dinner table to total expulsion from the monastery.—The monks were to serve weekly in rotation in the kitchen and at table; to wash the feet of the others, and on Saturdays to clean all the plates and the linen. They were not permitted to talk in the refectory at their meals, but hearken to the scriptures read to them at the time: the readers, waiters, cook, &c. to dine by themselves after the rest.—Two different dishes and a pound of bread were allowed to each monk; but meat was strictly forbidden to all but the sick.—Six hours in each day were to be devoted to work, and two to reading.—Guests and strangers were admitted to the prior's table. Every monk was to have two coats and two cowls; and when they had new clothes, the old were to be given to the poor.

The form and colour of the dresses of the monks of the Benedictine order were not fixed upon by the founder; but it was subsequently ordained, that they should wear a long loose gown of black stuff, reaching down to the heels, with a cowl or hood of the same material, and a scapulary; under that a closer habit of white flannel, and flannel boots. From the colour of their outward garment, they were sometimes called black monks. Each of the brotherhood was also provided with a knife, a needle, a handkerchief, a steel pen, and tablets for writing upon.

Every day in Lent they were enjoined to fast till six o'clock in the evening. From Easter to Whitsuntide they dined at twelve and supped at six: in this interval, the primitive church observed no fasts. At other times, the religious were bound to fast till three o'clock on Wednesdays and Fridays: the twelve days in Christmas were excepted.

In the canons of Alfric, archbishop of Canterbury, A. D. 996, the tide songs were thus appointed: the Ught song, or Mattins, early in the morning; the Prime song at seven o'clock; the Undern song at nine o'clock; the Mid-day song at twelve o'clock; the None song at three o'clock; and the Night song at nine at night.

In every abbey, besides the abbot, was a prior, who in the superior's absence had the chief care of the house. Under him was the sub-prior, and in great abbeys the third and fourth prior, all removable at the will of the abbot. They had also four great *obedientarii*, or officers, viz. the *sacrista* or sexton who took care of the buildings, the vessels, books, and vestments of the church; the *thesaurarius* or bursar, who received all the rents and revenues of the monastery, and disbursed all expenses; the *cellarer*, who provided food for the house; and the *camerarius* or chamberlain, who found the clothing. Besides these, there were the almoner, infirmarer, and other inferior officers.

No. 8.

[Chapter 8.—Page 101.]

Carta Ordinationis Ecclesiæ Theokesburiensis, tempore Giraldi Abbatis, et Roberti filii Haimonis.

IN nomine Patris et Filii et Spiritus Sancti, Amen. Ordinata est ecclesia sanctæ Mariæ Theokesburiensis cœnobii. Divisa sunt viz. ejusdem ecclesiæ quæque ministeria; et nominatim sunt distributa quæque quibusque, et singulis ministeriis pertinentia in eisdem ministeriis perpetualiter, quamdiu scilicet sæculum duraverit Deo opitulante firma assertione permansura et convenienter divisa sunt et constituta ad singulas utilitates domus Dei regendas et promovendas quæque necessaria, sicut subsequenti capitulatione inscribitur. Sunt autem hæc ad monachorum mensam pertinentia. In ipsa Theokesburia molendina duo, piscaria una, terra de Phytentona, decima domini et hominum ejusdem villæ, decimæ quorundam vicinorum, tertia pars omnium elemosynarum quæ fuerint in ecclesia, vel in capitulo

quocunque modo fiunt in eadem domo Dei, præter consuetudines parochiæ, ecclesia sancti Petri de Bristoll, obedientia de Wallis præter terram quæ fuit Walchelini, Balingehopa, juxta Hereford, Wasseburna, Stanleya, Staneweya, Tatintona, Leomintona, Amenel, Altentuna, Werftona, Tarenta. Hoc autem manerium Tarenta dedit abbas ejusdem ecclesiæ nomine Gyraldus, prece Roberti filii Haymonis, ad emendationem victus monachorum die hujus ordinationis. Unde tunc definita fuit fore cotidiana melioratio victus eorum duodecim denar.

Erant vero tunc in ecclesia monachi numero LVII.

Ad vestes monachorum pertinet ecclesia de Wairford, terra de Mid-delonda, omnes ecclesiæ quæ fuerunt Roberti capellani, Kingestona, postquam cœnobium ædificatum fuerit. De manu abbatis centum solidi, donec constituentur in terra.

Ad secretariam pertinent omnes consuetudines parochiæ præter decimas. De elemosina Dominici xl. sol: tertia pars omnium extrinsecarum elemosinarum quæ fiunt in eadem ecclesia.

Ad emendum parcamentum pertinet quædam terra in Wallis quæ fuit Walkelini, decima Roberti de Baskereville.

Ad elemosinam pertinet Ceotel in Dorsete, terra de Pequemintona, una haya ad Wyncekcumbam, decima totius victus cœnobii, decima census de Bristoll.

Cæteri redditus et terræ quas privilegium ecclesiæ nominando distinguit, ad emenda terras, ornamenta, ad supplenda omnia deficientia prædictorum, ad agenda quælibet opera, ad explendas omnes res abbatis ordinantur.

Facta est hæc Ordinatio a prædicto abbate monitu et consilio Roberti filii Haymonis ejusdem ecclesiæ fundatoris et domini, ipso præsentem et Sibilia uxore sua, atque filia sua Mabilia, Gylbertoque de Deulframvilla, Ricardo de Croyle, multisque aliis, præsentem etiam toto conventu ipsius ecclesiæ, 5^o kal. Octobris, anno scilicet ab incarnatione Domini 1105: quo eodem Henricus Rex Anglorum destruxit Baiocas incendio. Hujus ordinationis violatorem, si forte ullo tempore surrexerit, excommunicabit, eodem die abbas prædictus, ut a consortio cœlesti separatus in poenis gehennalibus permaneat sine fine cruciandus, nisi satisfaciens resipuerit, toto conventu ecclesiæ et omnibus qui aderant respondentibus Amen.

No. 9.

[Chapter 8.—Page 102.]

Charter of King Edward I. reciting and confirming the several Charters of King William the second, and King Henry the first and second, to the Abbey of Tewkesbury.

From Atkyns's Gloucestershire.

THE King to all archbishops, &c. health: We have inspected the charter which William of famous memory, heretofore King of England, our progenitor, had granted to the church of St. Mary of Tewkesbury, in these words: I, William, King of the Englishmen, do grant for ever unto the monastery of St. Mary of Tewkesbury, these particulars following, which Robert Fitz-Hamon and his tenants did give; to wit, his fishing, with the royalty of the river, the mills, and a meadow with the tithe, and a meadow near the pasture grounds by the fishery, and the meadow of Edmondshall, and the meadow of Selden, and the land of Roger of the Vineyard, and the churches of Walis, with the lands, tithes, rents, and all other things; and one beid, with a fishery, as the island divides the beid, and a meadow adjoining to the beid; and the tithes of colts, and of the skins of venison, and all manor courts, with full privileges throughout all the lands of St. Mary, and the common of Tewkesbury, for all cattle which shall be kept in the demesnes. Witnesses, William, the chancellor; Robert Fitz-Hamon, Roger Fitz Gerard, and Walter Giffard.

We have also inspected the charter of Henry, of pious memory, heretofore King of the Englishmen, our progenitor, granted to the blessed Mary of Tewkesbury, in these words: In the name of the Holy Trinity, be it known to all good people present and to come, that I, Henry, by the grace of God, King of the Englishmen, at Marlborough, in the year of our Lord 1100, do grant, and for ever confirm, these underwritten things and lands to the church of the blessed Mary of Tewkesbury, which Robert Fitz-Hamon and other my great men have given to the said church; to wit, Gingeston and Stanley, and one hide at Mildelland, and two hides at Bernerton, one at Berchelai, a fishery at Tewkesbury, and the meadow adjoining to it; and the mills, and the church of Walis, and the tithes and church of Fairford, and the church of Cetesley, and the tithes of Denely, and the tithes of Chenucey, and half a hide at Alureton, and the tithes of Ccotel, which Robert de la Haye gave to the said church; and all the

churches of his demesnes; and a fishery in Walis and Amney, which Winebald de Balaon gave to that church, with the king's leave; and the land of Robert the son of Werton, which he gave to the said church. Signed Henry, king, with a cross before his name, and with crosses for the names of all the witnesses. Hugh Earle, Robert de Belaime, William de Moriam, Roger de Pactivin, Heanric de Warwick, William the chancellor, Edward, William de Wrievvast, Eodorunus the steward, Robert Fitz-Hamon, and Hamon his brother, William de Albegni, Miles Crispin, Hugh de Belcamp, Roger de Nuvant, Nigell de Moneville, Roger le Bigod, Robert Malet, Hugh Maminot.

We have also inspected another charter, which the said King Henry granted to the said church, in these words: In the name of the holy and undivided Trinity, to all the sons and lovers of the catholic church King Henry sendeth health. Be it known unto you all, that I, Henry, by the grace of God, King of the Englishmen, for ever have granted and freely confirmed to the church of St. Mary the holy mother of God, and always virgin, in the year 1106, at Winchester, all things hereunder written, which Robert Fitz-Hamon and many others have given, or which the abbot hath purchased; and this I do for the good of my soul, and of the souls of my father and mother, and of my ancestors; to wit, the land of Byrnete, one hide, and land in Bulling Hope, and in Rerevalla, and one hide at Amney which did belong to Humphry the cook, two hides at Purbike, and one hide with two tithings of Alfrede de Nicholas, and one hide in Pamington, and one yard-land in Aston, and the church of St. Peter of Brigston, and the tithe of the rents of Brigston, and the churches which did belong to Robert the chaplain, with the lands and tithes thereof: those churches are thus severally named as followeth; one church in London called Semannekyrk, the church of Merlane, the church of Hamelden, the church of Ascenten, the church of Marshfield, the church of Sodbury, the church of Thornbury, the church of Pentric, the church of Essemere, the church of Frome, the church of Lapaford, the church of Wincheley, the church of Edusley, the church of Sut-Molton, the church of Citelmenton, the church of Bideford, the church of Liteham, the church of Chilthenton. And I King Henry did give unto the church one vill, which was held of the honour belonging to Robert Fitz-Hamon; I gave it after his death for the good of his soul, (the vill is called Ferthelmenton); one fishery in Tewkesbury, with the royalty of the water of the fishery, as far as the land of the town doth go; and one water-mill, a meadow with the tithe of the meadows, one meadow out of the common, the meadow of Eadmundesselle, the meadow of Seldene, and common of pasture in all places within Tewkesbury for the cattle feeding on the demesnes; the land of Roger of the Vineyard, and the new-ploughed ground of North-Haye, soc and sac, toll and tein, in all the lands of the church; the court-house, with the houses near the church, which Robert

Fitz-Hamon gave to the church in the town of Tewkesbury; one hay given by Godwin, two hayes given by Eglaf, and a small parcel of land given by Godwin the baker, lying near Suthmeade; and in Malverne Wood whatsoever is necessary for the use of the church, and quiet pasturage for swine in the same wood; also Kingston, Stanley, Mildeland, Bermerton, Berthele, Wodechesande, half a hide in Hamme, one yard-land in Alangeford, the church of Fairford, the church of Cetesley, the tithe of Heytrodobery, the tithe of Chenuke, the tithe of Tarente, the church of UMBERLEY, the church of Bikenton, Amney, Wertone, Chetel, with an hide in Aiulsi, with the land of Walter; two houses in Bureford, of the gift of Radulph the priest; one yard-land in Bisley, of the gift of Sybill; one hide of land in Oxendon, bought of Godric Dydicot, in exchange made by Alexander; thirty-two solidatas of land by the year, lying in a village called Aise in Somersetshire, which Gilbert de Umphrevil gave for the good of his wife's soul; two hides and a yard-land in Ascenton, given by Robert the son of Nigell. In Wales, the parish church of St. Mary of the town of Cardiffe, with one plough's tillage; the chapel in the castle of Cardiffe, with one plough's tillage; and the tithes of all the rents of the demesnes of the town of Cardiffe, the tithes of all the demesnes which Robert the son of Fitz-Hamon held in Wales, the tithes of all the barons' holding of Robert Fitz-Hamon throughout all Wales; all that branch of water of Taff which is near the church, from the issuing out of Taff 'till it goes into Taff again, to make fish-ponds therewith, or any other conveniences for the church; and the meadow on the other side of the water near the church; the village called Landobo, the land given by Walter de Landbethien, the tithes of the land which the abbot of Gloucester hath in Landcarven, the church of Landhiltunit, the land which Wakelyn gave, the water-mill at Raz, and the fisheries which Robert de Hay gave, the land which Robert the son of Nigel gave, the church of Newcastle. All these have been confirmed by me, and my barons with me. Signed with a cross, by the several persons following. King Henry, Walter the chancellor, Girard the archbishop, Robert bishop of Nicholo, Sampson bishop of Worcester, Hugh the abbot, Humphry de Bohun, Haymon the steward, Robert earl of Mellent, the abbot of Glastonbury, Robert son of Nigell, the abbot Germund, the abbot Pharis, Roger bishop of Salisbury, Thomas the chaplain, William bishop of Exeter, the abbot Nigell.

We have also inspected the charter which the same King Henry made to St. Mary, and to the monks of Tewkesbury, in these words: Henry, by the grace of God, King of England and Duke of Normandy, to all archbishops, bishops, earls, barons, justices, sheriffs, and all our officers, health: Know ye, that I, in honour of God, and of the holy Mary, mother of God, and for the good of my soul, and the souls of King William my father, and of King William my brother, and of Queen Maud my mother, and of Queen Maud my wife, and of the souls of all my ancestors, and for the good of the soul

of Robert Fitz-Hamon, have granted and confirmed to St. Mary and to the abbot and monks of Tewkesbury, all their possessions in churches and tithes, in lands and waters, in mills and fisheries, in pastures and woods, and in all other things, to hold to them in perpetual almonage, as free and discharged as Robert Fitz-Hamon held the same, who founded the same church, and as they were when in the demesne of King William my father, or Queen Maud my mother, from all payments to the shires or hundreds, from all taxes or dane money, and from all customs and other pretensions. Witnesses, Roger, bishop of Salisbury; Robert, bishop of Lincoln; Robert, earl of Mellant; Robert, earl of Gloucester; Brience, son of earl Hamo; steward of the household; Walter of Gloucester; at Winchester.

We have also inspected the charter which the same King Henry granted to St. Mary of Tewkesbury, in these words: Henry, King of the Englishmen, to all archbishops, bishops, justices, earls, barons, sheriffs, and all other officers of the respective places wherein the abbot of Tewkesbury has any lands sends greeting: Know ye, that I have granted and confirmed to St. Mary of Tewkesbury these following particulars in perpetual almonage, freely and quietly, for the good of my soul, and the souls of my father and mother, and of all my ancestors, the church of Chedesley, the church of Lethe, the tithes of Chaldewel and Fifhide, the tithes of Sutton, the tithes of Bacheberge, the tithes of Weston, given by Robert de Baskerville, the tithes of Haresfelde, the tithes of Muchelesberge; the lands called Lancadel, which Walchelin gave to the church; the land in Didicot, which the church had by exchange from Alexander de Corneille; the land in Polton, which Adaliza de Lisle gave to the same church, for the good of the soul of Reginald de Dunstanville her husband; two hides in Purbike, of the fee of Robert de Claville; and I farther will and command, that all possessions of St. Mary of Tewkesbury be free and discharged from all pleas and taxes, and all other charges, as when they were the demesnes of Robert Fitz-Hamon, and as they are now the demesnes of Robert my son. Witnesses, Ranulph, the chancellor; and Hamon, the steward, at Burnam.

We have also inspected the charter which Henry of pious memory, King of England, our great grandfather, granted unto the said monks, in these words: Henry, King of England, and duke of Normandy and Aquitaine, earl of Anjou, to our justices, sheriffs, barons, and other officers, and all his good people throughout England and Wales, sends greeting: Know ye, that I have granted to the monks of Tewkesbury, that they may freely and quietly buy and sell all manner of things necessary for themselves throughout all England and Wales; and I forbid all persons from giving any disturbance to them under the penalty of £.10. Witness, Humphry de Bohun, at Gloucester.

We, therefore, intending to strengthen and make good the several gifts, grants and confirmations abovesaid, to our well-beloved in Christ, the abbot

and convent abovesaid, and to their successors, do, for us and our heirs, as much as in us lies, grant and confirm all things in the several charters specified. Witnesses, The venerable fathers, A. Durham; John, bishop of Carlisle; William, bishop of Coventry and Lichfield; John de Warren, earl of Surrey; Thomas, earl of Lancaster; Henry de Lacy, earl of Lincoln; John de Hastings; John de Segrave; Hugh le Despencer, and others.

Given under our hand at Carlisle, the first day of July, by a fine levied in the exchequer.

No. 10.

[Chapter 8.—Page 105.]

*Pardon of King Henry the fifth to the Abbot and Convent of
Tewkesbury.**

HENRICUS Dei Gratia Rex Angliæ et Franciæ et Dominus Hiberniæ omnibus Ballivis et Fidelibus ad quos præsentis litteræ pervenerint Salutem. Sciatis quod de Gratia nostra speciali et ex mero motu nostro ob reverentiam Dei et caritatis intuitu perdonavimus Thomæ Abbati de Tewkesbury et ejusdem loci Conventui Sectam Pacis nostræ quæ ad nos versus ipsos pertinet pro omnimodis prodicionibus murdris raptibus mulierum rebellionibus insurrectionibus felonijis conspirationibus transgressionibus offensis negligentijis extorsionibus mesprisionibus ignorantijis contemptibus et deceptionibus per ipsos ante octavum diem Decembris ultimo præteritam qualitercunque factis sive perpetratis murdris per ipsos post decimum novum diem Novembris ultimo præteritum perpetratis si quæ fuerint exceptis unde judicati rectati vel appellati existunt. Ac etiam utlagarias si quæ in ipsos hijs occasionibus fuerint promulgatæ et firmam pacem nostram eis inde concedimus. Dum tamen idem Abbas et Conventus contrfactores mistæ monetæ et cunagij multiplicatores seu lotores auri et argenti cum omni nostro cuniato et tonsores monetæ nostræ probatores

* For a copy of this pardon, as well as for several other interesting documents, the editor is indebted to Mr. Samuel Tymms, of Westminster—a gentleman of considerable antiquarian knowledge, and kindly communicative of his information.

communes et notorij latrones seu felones qui abjuracionem fecerant non existant. Ita tamen quod stent recto in Curia nostra siquis versus eos loqui voluerit de premissis vel aliquo premissorum. Et ulterius de uberiori Gratia nostra perdonavimus et relaxavimus eisdem Abbati et Conventui omnimoda escapia felonum catalla felonum et fugitivorum catalla utlagatorum et felonum de se deodanda vasta impeticiones ac omnimodos articulos itineris destructiones et transgressiones de viridi vel venatione venditionem boscorum intra forestas et extra et aliarum rerum quarumcunque ante dictum octavum diem Decembris intra dictum Regnum nostrum et partes Walliæ emersas et eventas unde punitio caderet in demandam debitam seu in finem et redemptionem aut in alias poenas pecuniarum seu in forisfacturas bonorum et catallorum aut imprisonmenta seu amerciamenta comitatum villarum vel singularum personarum vel in onerationem liberi tenementi eorum qui nunquam transgressi fuerint ut heredum executorum et terræ tenentium escaetorum vicecomitum coronatorum et aliorum hujusmodi et omne id quod ad nos versus ipsos pertinet ex causis supradictis statutis liberatorum pannorum et capitiorum ante dictam octavum diem Decembris editis non obstantibus. Ac etiam omnimodas donationes alienationes et perquisitiones ad manum mortuam factas vel habitas absque licentia Regia. Necnon omnimodos intrusiones et ingressus in hereditatem suam in parte vel in toto post mortem antecessorum suorum absque debita prosecutione ejusdem extra manum Regiam ante eundem octavum diem Decembris factas unâ cum exitibus et proficuis inde medio tempore perceptis. Ac etiam perdonavimus et relaxavimus eisdem Abbati et Conventui omnimodos fines adjudicatos amerciamenta exitus forisfactos relevia scutagia ac omnimoda debita et computa præstita arreragia firmarum et compuntorum necnon omnimodas actiones et demandas quas nos solus versus ipsos vel nos conjunctim cum alijs personis seu persona habemus vel habere poterimus. Ac etiam utlagarias in ipsos promulgatas pro aliqua causarum supradictarum. Et insuper perdonavimus et relaxavimus præfatis Abbati et Conventui omnimodas poenas ante eundem octavum diem Decembris forisfactos coram nobis seu Consilio nostro Cancellario Thesaurario seu aliquo Judicum nostrorum pro aliqua causa et omnes alias poenas tam nobis quam carissimo Patri nostro defuncto per ipsam pro aliqua causa ante eundem octavum diem Decembris scilicet forisfactas et ad opus nostram levandas. Ac etiam omnimodas securitates pacis ante illum diem octavum forisfactas exceptis debitis Regi de ipso aut de alijs ligeis nostris qui superstites existunt et de illis qui mortui sunt post coronacionem nostram debitis necnon computantibus in scaccario nostro vel alibi necnon debitis Regi debitis per recognitiones estallamenta assignationes vel obligationes Regi solum aut conjunctim cum alijs personis ut customarijs aut officiarijs quibuscunque factas ac insuper debitis computantibus seu illis qui computaverunt in scaccario sicut vicecomitibus escaetoribus et alijs officiarijs qui

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[Chapter 8.—Page 105.]

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Regi satisfecerunt debitis et per eosdem debitores Regis non solutis. In
cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me
ipso apud Westmonasterium quarto decimo die Martij anno Regni nostri
secundo.

Per ipsum Regem.

SIRESTONE.

No. 11.

[Chapter 10.—Page 124.]

*Accompt of the Ministers of the Lord the King in the time of
Henry the Eighth.*

(Abstract of Roll, 33 Hen. VIII. Augmentation Office.)

MONASTERY OF TEWKESBURY.

COUNTY OF GLOUCESTER.

Manor and Borough of Tewkesbury, with the Monastery there	Rents of assize	- £.8 12 2
	Rents of customary tenants . .	25 5 8
	Rents at the will of the lord the king	64 9 6
	Farm of the scite of the monastery	35 1 8
	Perquisites of courts	1 14 6
Rectories of Tewkesbury, Fiddington, Walton-Cardiff, Aston-upon-Carron, Southwick and Tredington	Portions of tithes of grain . .	40 17 8
	Small tithes and oblations . .	31 9 1½
Ashchurch	Portion of tithes	5 7 7½
Newton, Natton, Fiddington, Aston-upon-Carron, Northway, Walton-Cardiff, Tredington, Southwick, Gupshill, Pamington and Oxendon	Portions of small tithes . . .	4 16 8
Oxendon and Pamington . .	Portions of tithes	8 18 8
Tredington	Rent of meadow	0 4 0
Walton-Cardiff	Portion of tithes	1 2 0
Pamington	Portion of tithes at will . . .	0 2 0
	Farm of a portion of tithes . .	2 0 0
Fiddington	Portion of tithes	0 3 4

Mythe Hook	Portion of tithes	£.1 3 4
Severn Ham	Portion of tithes	1 17 6
Avon Ham	Portion of tithes	0 13 4
Oldbury	Portion of tithes	1 6 8
Aston-upon-Carron	Portion of tithes by copy of court	0 13 4
Northway	{ Farm of tithes at the will of the lord	0 9 11
Southwick	Portion of tithes	0 16 10
Coln St. Dennis with Calcot	Farm	15 5 0
	Perquisites of courts
Compton Parva, with the Rectory, and Portions of Tithes in Toddtenham and Bourton	{ Rents of assize	1 6 0
	Rents of customary tenants	15 13 8½
	Farm of the scite of the manor	5 6 8
	Farm of the rectory	8 0 0
Toddtenham	Portion of tithes	0 13 4
Bourton	Portion of tithes	0 14 0
	Perquisites of courts	0 10 8½
Preston-upon-Stour, with the Rectory there, and the Hamlets of Alvescot and Atherston	{ Rents of assize	0 3 0
	Rents of customary tenants	9 17 11½
	Farm of the scite of the manor	5 6 8
	Farm of mills	2 0 4
	Perquisites of court	0 7 8
	Farm of the rectory	16 13 4
Alvescot	Farm of the manor	7 0 0
Atherston	Annual pension	0 4 0
Welford	Rents of assize	1 5 0½
	Rents of customary tenants	18 5 3½
	Farm of the scite of the manor	10 14 3
	Perquisites of courts	2 16 9½
Washbourn, with the Rectory, and Didcot	{ Rents of customary tenants	11 3 11
	Farm of the scite of the manor of Washbourn, with the rectory	17 6 8
	Perquisites of courts	2 6 9
Didcot	Farm of lands and tenements	7 6 0
Prescot	Farm of the manor or lordship	36 4 0
Gotherington	Rents of assize	0 2 2
	Rents of customary tenants	21 2 10½
	Rents at the will of the lord the king	0 0 10

Gotherington	Farm of the manor	£. 7	19	4
	Perquisites of courts	0	15	4
Tredington	Rents of assize	0	2	0
	Rents of customary tenants	0	5	0
	Rents at the will of the lord	0	9	0
	Farm of the manor	3	13	4
Fiddington	Rents of customary tenants	4	9	0
	Farm of the manor	2	8	0
Oxendon	Rents of customary tenants	1	13	0
	Rents at the will of the lord	0	0	2
	Farm of the manor	3	0	0
Shevingdon	Annual pension	0	12	4
Pamington	Farm	4	8	4
Natton	Rents of customary tenants	0	8	0
	Rents at the will of the lord	0	4	0
	Farm of messuages and lands	2	8	10
Southwick	Rents of customary tenants	2	16	0
	Rents at the will of the lord	0	10	0
	Farm	5	3	8
Manor of Walton-Cardiff	Rents of customary tenants	11	16	0
	Farm	1	4	8
	Perquisites of courts	0	0	4
Mythe	Rents of customary tenants	0	16	10
	Farm of messuage with tithes	9	10	0
Mythe Hook	Rents of customary tenants	0	10	0
Twining	Rents of assize	0	10	0
	Rents at the will of the lord	0	0	4
Thamer's Orchard	Farm of tenement	1	7	0
Over Lode	{ Farm of passage across the water of Severn called Over Lode	4	2	0
Severn Ham	Rents of customary tenants	11	12	4
	Rents at the will of the lord	11	12	6
Avon Ham	Rents of customary tenants	1	11	0
	Rents at the will of the lord	2	3	0
Oldbury	Rents of customary tenants	2	4	4
	Rents at the will of the lord	2	8	6
	Farm of lands	1	1	0
Cowfield	Farm of three closes	5	0	0
Holeham	Rents of customary tenants	0	1	4
	Rents at the will of the lord	0	4	0
	Farm of meadow	0	1	0
Duncsmede	Farm of meadow	0	14	0
Carron's Place and Carron's Mill	{ Farm of messuage	1	15	4

Barcock's Mill	Issues of the mill	£.s. d.
Ashchurch	Farm of herbage	0 5 0
Northway	Rent of lands	0 6 8
Forthampton and Swinley, } with the Rectory }	Farm of the manor with the rectory	56 6 6
Thornbury, with the Rectory	Rents of customary tenants . .	4 19 4
	Changeable rents	0 1 4
	Farm of the scite of the rectory	27 5 4
	Perquisites of courts
Amney Holy Cross, with } Plucknett, and the Rec- } tory of Amney }	Rents of assize	2 6 4
	Rents of customary tenants . .	13 1 11
	Farm of the manor of Amney .	21 16 6
	Perquisites of courts	3 14 6
Swell	Portion of tithes	2 3 4
Woodmancot	Farm	0 10 0
Rectory of Fairford . . .	Issues
Rectory of East-Leach . .	Issues
Rectory of Wotton-Under- } edge }	Farm of the rectory	33 0 0
Marshfield, with the Rectory	Farm of tenements and tithes .	36 5 6
Hosebrugge	Farm of the lordship	10 0 4
Town of Gloucester with } Longford }	Rents of assize of free tenants .	0 6 10
Longford	Rents of tenants at the will of the lord	0 10 0
	Farm of messuages	0 7 6
	Rents of assize of lands and tenements	0 6 6
Manor of Lemington, with } tithes of the Chapel . . }	Farm of the lordship	13 4 0
ChurchStanway, WoodStan- } way, and Taddington . . }	Farm of the manor	115 5 6½
Park of Tewkesbury, with } the Mill }	Farm of herbage and pannage .	28 6 8
Broad Campden	Rent of customary tenants . .	4 0 0
House or Cell of the Priory } of Deerhurst }	Farm of the scite of the priory .	123 16 10½
Town of Bristol	Rents of assize of free tenants .	1 0 0
	Rents of tenants at the will of the lord	4 14 0
	Farm of tenements	10 3 4
	Tithes	14 10 0
Priory of St. James near } Bristol, a Cell of the Ab- } bey of Tewkesbury . . . }	Farm of the whole priory . .	26 6 8

City of Worcester	Rents of assize of free tenants .	£.0	15	6
	Rents of tenants at the will of the lord	1	17	4
	Farm of a tenement	0	12	0
Cheltenham	Farm of a tenement	0	10	0
Deerhurst Walton	{ Rents of customary tenants and lands	0	8	0
Apperley near Deerhurst	Rents of assize	0	4	0
Bisley near Stroud	Rents of assize	0	10	0
Okington	Farm of a messuage and orchard	1	13	4
Bishop's Cleeve	Farm of messuages	0	13	4
Alderton alias Aldrington	Rents of assize	1	7	4
	Portion of tithes	1	0	0
Dixton	Rent of lands	0	1	4
Winchcomb	Rent of tenement and land	0	0	4
Gretton	Portion of tithes	0	7	0
Pull and Pull Court*	{ Farm of manor with portion of tithes	15	9	10½
Queenhill	{ Farm of the moiety of the whole manor	6	1	10
Kinsham within the parish of Bredon	{ Rents of assize	0	2	0
Norton	Annual Rent	0	3	0
Mitton	Farm of meadow	0	13	0
Over Strensham	Rents of assize	1	1	8½
	Rents of customary tenants	1	18	8
Bushley	Farm of the manor	3	0	0
Bromhall	Farm of messuages	1	4	0
Chaccely	Rents customary of meadow	0	6	9½
Redmarley	Farm of tenements	1	6	8
Pirton	Farm of manor	13	5	9
Oxchey	Farm of pasture	2	3	4
Aishton Keynes and Leigh	Farm of manor	81	18	6½
Over Wroughton, Turneys and Uffecote	{ Annual rent	1	6	0
Poulton near Marlborough	Annual rent	5	0	0
Shernecote	Pension	0	3	0
Okeborne Minor	Tithes	1	10	0
Rectory of Sherston and Al- dington	{ Issues		

* This and the seventeen following places are incorrectly stated to be in Gloucestershire: most of them are in Worcestershire.

SOMERSET.

Burnet Farm of the manor . . . £.10 8 11

OXON.

Teynton with the rectory . Farm of the manor 36 5 6

More Issues 22 5 11

Perquisites of courts

BUCKS.

Rectory of Marlow Magna . Issues

Rectory of Chetelhampton . Farm of the rectory 17 2 0

CORNWALL.

Rectory of St. Wenne . . Farm of the tithes 5 2 0

Rectory of Crewenne . . . Farm of the tithes 14 2 0

DORSET.

Manor of Cranbourn . . . Farm of the manor 32 16 10

Manor of Chetel Rents of Customary tenants . 8 18 9

Farm of the manor 10 10 0

Perquisites of courts

Manor or Hundred of Up- } Rents of assize of free tenants . 0 19 10
wymborne

Rents of customary tenants . . 7 1 4

Farm of the scite of the manor . 8 6 8

Perquisites of courts 1 16 8

Manor of Boverege with Est- } Rents of assize of free tenants . 1 3 0
worth

Rents of customary tenants . . 9 19 9

Farm of the manor 10 2 0

Perquisites of courts

Manor of Tarraunte Mona- } Rents of customary tenants . . 13 5 2
chorum

Changeable rents, with a certain

rent called nodway money . 0 3 0

Farm of the scite of the manor . 13 8 8

Perquisites of courts

Rectory of Tarraunt Mona- } Farm of the rectory 24 6 8
chorum

Wodcotesworth and Purbike Rents of assize 1 2 4

WILTS.

Steepleham Rents of assize 0 15 0

Steeple Purbike, Knoll, Aish- } Portions of tithes and pensions
mere, Penriche, and St. } of churches 2 3 4
Quintin

SUSSEX.

Manors of Kingston and }
Wyke, with the Rectory } Issues 6 12 4
in Kingston.

WALES.			
Rectories of Lantwill, Lant- blethian, Lanttrissan, Pen- marke, with the chapel of St. Donat and Cardiff . . .	}	Issues
Cardiff and Roth		Rents of assize of free tenants . £.1 5 7	
		Rents of customary tenants . .	6 11 2
		Perquisites of courts
Lantewitte		Rents of assize	1 3 8
		Rents of customary tenants . .	5 1 0½
		Tithes	0 14 8
Landough		Rents of assize	1 10 7
		Rents of customary tenants . .	1 17 10
		Farm of demesne lands . . .	1 10 0
		Perquisites of courts
Lanissen and Lucyveyn . . .		Farm of lands and mansion . .	4 0 0
GLAMORGANSHIRE.			
Bonfeld, Eston, Rectory of St. Andrew, St. Fagan's, Coytiff, Winfee and Wrin- geston	}	Portions and Pensions . . .	3 16 8
		Tithes of mill near Cardiff . .	1 10 0
DEVON.			
Manor of Losebeare and Ma- nor of Midlande	}	Rents reserved	1 5 10½

[Translated by John Caley, esq.]

No. 12.

[Chapter 10.—Page 124.]

From a Book of Pensions remaining in the Augmentation Office.

Tewkesburie late Monasterie, in the Countie of Gloucester.

PENTIONS assigned to the late abbotte and religious there by Robert Southwell, esquier, and other the kinges highnes comissioners appointed for the taking of surrendre of the same house the xijth. day of Januarye, in the xxxjst. yere of the reigne of our soverayne lord Kinge Henry the VIIIth. John Wakeman, late abbot, to have the house of Forthampton, with the demaynes belonginge to the same, and the tithes of the tenants of Forthampton aforesayd and Swynle in ferme, for the yerely rent of 8l. 13s. 1d. And..... £.266 13 4

HISTORY OF TEWKESBURY.

333

John Barley, late prior, bachelor of divinitie	£.16	0	0
John Bromeagreve, prior of Derehurste, and bachelor of divinitie	13	6	8
Robert Cicerster, late prior of St. James at Bristow, bachelor of divinitie	13	6	8
Willm. Dydcote, late prior of Craneborne	10	0	0
Robert Cheltenham, bachelor of divinitie.....	10	0	0
Edmonde Stanlie, hosteler	6	13	4
Thomas Sturton, fermierer	6	13	4
Thomas Wynchecombe.....	6	13	4
Thomas Lemyngton	6	13	4
John Cheltenham, sexton	6	13	4
Roger Compton, elemosiner.....	6	13	4
Thomas Twynanyng, supp.	6	13	4
Richard Compton	8	0	0
Thomas Teynton	6	13	4
John Morton	6	13	4
John Tewksburye, chaunter	6	13	4
Thomas Leckhampton	6	13	4
Willm. Streynesham.....	6	13	4
Robert Aston	6	13	4
John Asheton, mr. of or. lady chappell.....	6	13	4
John Gales	6	13	4
Edwarde Stanwey.....	6	13	4
Thomas Bristow, stewarde of household	6	13	4
John Derehurste.....	6	13	4
John Harteland	6	13	4
Thomas Newporte, subsexton.....	6	13	4
Roger Preston	6	13	4
John Evesham, subchaunter	6	13	4
Philippe Cardiffe aka. Wyett, tertius prior	6	0	0
Thomas Thorneburye	6	13	4
Henry Worcester, the abbottes chaplajn	6	13	4
Richarde Cheltenham	6	13	4
Giles Marlowe	6	13	4
Richarde Goderton	6	13	4
Thom. Craneborne	6	13	4
Jno. Welnesford	6	0	0
Alexander Belyn	6	0	0
Richarde Wynceborne	6	0	0

Summa.....xlj. vj. viij.

Robert Sowthwell.
Edwarde Carne.
Rl. Gwent.

John London.
John Ap Rice.

No. 13.

[Chapter 10.—Page 130.]

THE following extracts from Mr. Sharpe's Roll, 2 and 3 Phil. and Mar. afford a more complete list of the pensions payable to the persons dependant on the monastery in 1553, than that given by Willis:—

“Tewkesbury nuper Monasterium. *Feod.* Willielmi Barners supervisoris omnium possessionum nuper monasterii prædicti per annum 10*l.*—Thomæ Wetherston clerici coquinæ ejusdem mon. per annum 2*l.* 13*s.* 4*d.*—*Annu.* Johannis Russell et Thomæ Russell per annum 3*l.*—Willielmi Barners per annum 5*l.*—Johannis Taylor, alias Barker, per annum 2*l.* 13*s.* 4*d.*—Nicholai Wakeman per annum 3*l.* 6*s.* 8*d.*—Willielmi Dewye per annum 1*l.* 6*s.* 8*d.*—Edmundi Harman per annum 2*l.*—Roberti Comyn per annum 2*l.*—Johannis Hareford per annum 2*l.*—Henrici Crane per annum 4*l.*—Christoferi Smythe per annum 1*l.*—Laurenc. Poyner per annum 7*l.* 13*s.* 4*d.*—Hughonis Whittingdon per annum 9*l.*—Thomæ Gwente per annum 3*l.* 6*s.* 8*d.*—Hugonis Pagett per annum 1*l.* 6*s.* 8*d.*—Johannis Brydges per annum 2*l.* 13*s.* 4*d.*—Laurenc. Case per annum 2*l.*—Thomæ Sherle per annum 2*l.*—Ed'i Walweyn per annum 3*l.* 6*s.* 8*d.*—Ed'i Robery per annum 1*l.*—Willielmi Cole per annum 2*l.*—Thomæ Higons per annum 1*l.* 6*s.* 8*d.*—Johannis Waters per annum 3*l.* 6*s.* 8*d.*—Anthonii Kingeston per annum 6*l.* 13*s.* 4*d.*—*Penc.* Roberti Circettor per annum 13*l.* 6*s.* 8*d.*—Thomæ Twynning per annum 6*l.* 13*s.* 4*d.*—Ricardi Compton per annum 8*l.*—Thomæ Lekehampton per annum 6*l.* 13*s.* 4*d.*—Willielmi Streineshame per annum 6*l.* 13*s.* 4*d.*—Johannis Gates per annum 6*l.* 13*s.* 4*d.*—Thomæ Bristowe per annum 6*l.* 13*s.* 4*d.*—Johannis Hartelonde per annum 6*l.* 13*s.* 4*d.*—Thomæ Newporte per annum 7*l.*—Philippi Cardiff per annum 8*l.*—Thomæ Thorneburys per annum 6*l.* 13*s.* 4*d.*—Henr. Worcester per annum 6*l.* 13*s.* 4*d.*—Ed'i Stanwaye per annum 6*l.* 13*s.* 4*d.*—Ricardi Cheltenham per annum 6*l.* 13*s.* 4*d.*—Johannis Welneforde per annum 6*l.*—Ricardi Wymbols per annum 6*l.*—Roberti Astonne per annum 6*l.* 13*s.* 4*d.*—Johannis Astonne per annum 6*l.* 13*s.* 4*d.*”



No. 14.

[Chapter 11.—Page 132.]

*To Master Chancellor of the King's Majesty's Court of
Augmentations.*

Pleaseth the same to be advertised unto the tenour of your letters to you directed. We have viewed, seen and measured all the leads upon the

aisles, choir, chapels, revestry and steeple, with the gutters of the same, lately being the late abbey church of Tewkesbury, and have esteemed the same leads, after 16 foot square to the fodder, to be 80 fadders and one quarter of a fodder, valued at 77*s.* 6*d.* the fodder, over and besides the waste and casting, amounting to £.311. And also we have viewed the bells, being eight in number, to 14200*lb.* weight, valued and prized at 20*s.* the hundred, amounting to £.142. In all £.453.

Mem. Where there remaineth, upon the body of the said church there, which heretofore was the only parish church to the parishioners of the town of Tewkesbury aforesaid, certain leads, esteemed to be 23 fadders; and at the survey taken at the dissolution of the said monastery valued with the leads belonging to the said late abbey church, that doth manifestly appear unto us, as well by the examination of the last abbot there, as by the oaths of divers substantial and honest persons, that the said body of the said church, with the leads upon the same, hath been ever the parish church to the inhabitants aforesaid, long time before the said abbey church was thereunto built and annexed; and by agreement at the building and annexion of the said churches, the abbot and convent then of the said late monastery did repair the said body of the said church, being a parish church as is aforesaid; and their successors, abbots and convent of the said late monastery, have so repaired, upholden and maintained the said church hitherto, at their costs and charges.

By us,

Rycharde Poulet, Receiv.
Willm. Berners, Audit.

24 Die Junii Anno 34.

For the Parishioners of Tewkesbury.

Mem. The said parishioners shall buy of the king's highness the one part of the said church, with the choir, cross aisle, chapels, revestry, and steeple, and also all the iron, lead, glass, timber, and stone of the same, together also with all the ground and soil of the same, and also the churchyard and all other the premises, for the sum of £.453, to be paid in form following; that is to say, in hand £.200, at the feast of Easter next coming £.100, and at the feast of the Nativity of our Lord God then next following £.153.; and the said parishioners to bear and find the reparations of the said church perpetually.

Rychard Ryche.

(Indorsed)

Pro Ballivis et Burgensibus de Tewkesburye.

No. 15.

[Chapter 11.—Page 132.]

Grant of the Abbey Church to the Parishioners.

THIS INDENTURE, made the fourth day of June, in the thirty-fourth year of the reign of our Sovereign Lord Henry the Eighth, by the grace of God King of England, France and Ireland, Defender of the Faith, and on earth supreme head of the Church of England and Ireland, ~~Between~~ the same our Sovereign Lord the King on the one part, and the Bailiffs, Burgesses and Commonalty of the borough and town of Tewkesbury, in the county of Gloucester, on the other part, ~~Witnesseth~~, That whereas the body or nether part of the late abbey church of Tewkesbury aforesaid, in the said county of Gloucester, at the time of the dissolution of the late monastery of Tewkesbury aforesaid, and continually before the same dissolution, was the parish church of the same town of Tewkesbury, and was used as the parish church for the inhabitants of the said town of Tewkesbury and other the parishioners of the same, The King's Highness is pleased and contented, and for him, his heirs and successors, ~~Both~~ grant by these presents to the said bailiffs, burgesses and commonalty of the said town of Tewkesbury and their successors, All that the over or higher part of the said late abbey church, that is to say, the choir otherwise called the presbytery, the aisles, chapels, vestry, and the steeple of the said late abbey church, and all other things belonging to the same, and the soil, ground, site, precinct and circuit of the same late abbey church, shall from henceforth stand, continue and remain to the enlarging of the said parish church, and shall be had, reputed, used and taken for and as the parish church of Tewkesbury aforesaid. And that the bailiffs and commonalty of the said town of Tewkesbury, and other the parishioners of the said parish church, shall have, use and enjoy the whole aforesaid late abbey church, and every part and parcel of the same as it now standeth, and the aforesaid soil, ground or site, precinct and circuit of the same late abbey church, to the intent to use the same as their parish church for ever, without any let, interruption, or impediment of the king's majesty, his heirs or successors, or of any other manner of person or persons. And in consideration thereof, the king's highness is further pleased and contented to bargain and sell, and by these presents hath fully and clearly bargained and sold unto the said bailiffs, burgesses and commonalty of the said town of Tewkesbury and to their successors, as well all the aforesaid over or higher part of the said late abbey church, that is to say, the choir otherwise called the presbytery, aisles, chapels, vestry and steeple of the said late abbey church, and all other things belonging to the same, and the aforesaid soil, ground or site, precinct and circuit of the same late abbey church, as all the eight bells being in the said steeple of the said late abbey church, weighing about fourteen thousand and two

hundred pounds weight, and also the whole frame and the clappers of the same bells, and all and all manner of roofs and rowlts within the said abbey church and the chapels of the same, and all the slates of the same chapels and of the said vestry, and all the lead lying and being in and upon the said late abbey church, that is to say, the choir otherwise the presbytery, the aisles, chapels, vestry, steeple and gutters of the said late abbey church, and in the windows of the same. And the king's highness hath also bargained and sold, and by these presents clearly bargaineth and selleth to the aforesaid bailiffs, burgesses and commonalty of the said town of Tewkesbury, and to their successors, all the aforesaid late abbey church, and all manner of partitions of stone, iron and timber, and also all manner of images, tombstones, and grave-stones of the same late abbey church, with all kind of metal upon the same and every of them, together with all manner of pavement, paving stones, glass, ropes and irons belonging to the clock and chimes within the said late abbey church, as in any the choir otherwise called the presbytery, the aisles, chapels and vestry, and in the windows of the said late abbey church. And whereas the church-yard, called the parish church-yard in Tewkesbury aforesaid, in the county of Gloucester, containing by estimation one acre and one rood of ground, at the time of the dissolution of the abovesaid late monastery of Tewkesbury aforesaid, and continually before the said dissolution, was the parish church-yard for the burials of dead bodies within the said town of Tewkesbury, and was used as the place of burials of the dead bodies within the said town of Tewkesbury, and the dead bodies of others the parishioners of the said parish church of Tewkesbury aforesaid; in consideration whereof the king's highness hath further bargained and sold, and by these presents fully and clearly bargaineth and selleth unto the said bailiffs, burgesses and commonalty, and to their successors, the whole aforesaid parish church-yard, to be used, accepted and taken for and as the church-yard of the parish church of Tewkesbury aforesaid, To have, hold and enjoy all that the aforesaid over or higher part of the said late abbey church, that is to say, the choir otherwise called the presbytery, the aisles, chapels, vestry and steeple of the aforesaid late abbey church, and all other things belonging to the same, and the whole abovesaid soil, ground or site, precinct and circuit of the same late abbey church, and all and singular other the premises above written, whatsoever they be, and the whole aforesaid parish church-yard, to the aforesaid bailiffs, burgesses and commonalty of the said borough and town of Tewkesbury aforesaid, and to their successors for ever, in as ample and large manner, form and condition as the late abbot and convent of the said late monastery of Tewkesbury aforesaid, or any of their predecessors at any time heretofore have had, held or enjoyed the abovesaid late abbey church of Tewkesbury aforesaid, or the parish church-yard aforesaid, or any other of the premises above written, whatsoever they be, without any let, interruption, impedi-

ment, vexation or disturbance of the king's majesty's highness or successors, or any other manner of person or persons, for and to the intents and purposes above rehearsed; for and in consideration of which bargain and sale of the whole aforesaid late abbey church, and the parish church-yard aforesaid, and of all other the premises above written, whatsoever they be, the said bailiffs, burgesses and commonalty, for them and their successors, covenanteth, and by these presents granteth to and with our said sovereign lord the king, his heirs and successors, that they the said bailiffs, burgesses and commonalty, and their successors, at their own proper costs and charges, from henceforth continually shall repair, sustain, maintain and uphold, as well the body of the said late abbey church, as also the choir, otherwise called the presbytery, the aisles, chapels, vestry, steeple, walls, and windows of the said late abbey church, and all other things belonging to the same, together with the inclosure and fence of the said church-yard, and of every part and parcel thereof. And also that the said bailiffs, burgesses and commonalty, and their successors, shall acquit, discharge and save harmless our said sovereign lord's highness and successors, as well to and against the Bishop of Gloucester, as also to and against all and every other person and persons, of and for all manner of charge whatsoever which shall happen at any time hereafter to arise or grow by reason or for lack of the said reparations of the said church or church-yard, and other premises by this indenture bargained and sold, or of any part or parcel thereof. And also that they the said bailiffs, burgesses and commonalty, and their successors, shall content and pay, or cause to be contented and paid to the king's highness, the sum of £.453 sterling, over and besides the sum of £.30 sterling by the bailiffs, burgesses and commonalty beforehand paid to the hands of Richard Paulet, esq. and to other the king's commissioners, at the time of the dissolution of the said late monastery, to the use of the king's highness. And the same sum of £.453 to be paid in manner and form following, that is to say, at the sealing of these presents £.200 sterling, whereof the king's highness acknowledgeth himself to be fully satisfied, contented and paid, and thereof acquitteth and dischargeth the said bailiffs, burgesses and commonalty and their successors by these presents; and the sum of £.253, unreceived of the sum of £.453, to be paid to the hands of the particular receiver of the revenues of the augmentation of our said sovereign lord the king's crown, for the time being, in the said county of Gloucester, to the use of the king's highness, in manner and form following, that is to say, at the feast of Easter next ensuing the date hereof £.100 sterling, and at the feast of the Nativity of our Lord God next ensuing the same feast of Easter £.153, in full contentation and payment of the sum of £.453. In witness whereof, to the one part of this indenture, remaining in the custody of our said sovereign lord, the said bailiffs, burgesses and commonalty hath put their common seal; and to the other part of this indenture, remaining in the

custody of the said bailiffs, burgesses and commonalty, our said sovereign lord hath not only signed the same with his most gracious hand, but also hath caused his great seal of England to be put, the day and year first above written.

No. 16.

[Chapter 11.—Page 141.]

Coats of Arms originally in the Chancel Windows, in the West Window, &c.

FROM an ancient manuscript, in the possession of a literary friend, it appears that the following arms were formerly in the seven windows in the choir of Tewkesbury Abbey Church:—

East Window.—1. Gules, a chevron between ten crosses pattée, argent. Berkeley.—2. Quarterly, argent and gules, in the second and third quarter a fret or; over all, a bend sable. Le Despenser.—3. England; gules, three lions passant guardant or.—4. Le Despenser.—5. Gules, a cross engrailed or, within a bordure argent. Tewkesbury Abbey.

Window adjoining the Tower, on the south side.—1. Argent, on a bend gules three buckles or, within a bordure vert charged with eight eaglets displayed of the second.—2. Gules, fretty or. Audley.—3. Barry of twelve, argent and azure. Montchensy, a Suffolk family.—4. Gules, two bars nebuly, a chief nebuly argent; over all, a bend azure.—5. Azure, a lion rampant guardant or. Fitz-Hamon.

Window adjoining the Tower, on the north side.—1. Or, between two bendlets gules an escallop in the dexter chief point sable. Tracy of Stanway.—2. Argent, on a canton gules a cinquefoil pierced or. Bradstone.—3. Gules, a fess between six martlets or. Beauchamp of Gloucestershire.—4. Or, three chevrons gules, within a bordure engrailed sable. Clare.—5. Gules, ten bezants, four, three, two and one. Zouch.

In the other four windows.—1. England, with a label of three points. Lancaster.—2. The same, for Brotherton.—3. The arms of England, within a bordure of France. Exeter.—4. England, within a bordure argent. Kent.—5. Or, three chevrons gules. Clare.

1. Azure, a bend argent, cotticed or, between six lions rampant of the third. Bohun.—2. Gules, a lion rampant or. Arundel.—3. Clare.—4. Cheeky or and azure. Warren.—5. Gules, a fess between six cross crosslets or. Beauchamp Earls of Warwick.

1. Gules, a lion rampant argent. Mowbray.—2. Or, a manche gules. Hastings.—3. Berkeley.—4. Clare.—5. Argent, a lion rampant sable, crowned or. Morley of Norfolk, impaling le Despenser.

1. Gules, a lion rampant, or, within a bordure of the second. Talbot.—2. Argent, three fusils conjoined in fess, gules, for Montacute, Earl of

Salisbury.—3. Clare.—4. Paly, argent and azure, on a bend gules, three eagles displayed or. Grandison.—5. Argent, on a bend azure, three lions' heads erased or.

Underneath the west window, on the outside of the church, are the following coats of arms :

1. Gules, a lion rampant regardant or.—2. In a lozenge, or, a fess vair between six labels of three points sable.—3. (effaced.)—4. Gules, a cross ragule or.—5. Or, a fess vair between six labels of three points sable.—6. Gules, a saltier argent.—7. Per bend, sable and or; a lion rampant, counterchanged.

Under the same window, within the church, are—1. Or, between two bendlets gules an escallop in the dexter chief point sable. Tracy of Stanway, impaling gules, a bend or.—2. Under a mitre, argent, two keys in saltier, the dexter or, surmounted of the sinister argent.—3. In a lozenge, gules, a dexter hand couped argent, on a chief of the second, three fighting cocks of the first. Hancock of Twyning, impaling or, a fess wavy between six labels of three points sable.—4. As the last, impaling gules, a fess vair, argent and azure, between three mullets argent. Hancock impaling Baugh, both of Twyning.—5. Azure, a lion rampant argent. Pool of Salperton.

Besides the coats of arms in the chancel windows and at the west front, there are many others in various parts of the church. Against the wall at the end of the chancel, and in other places, are seen three crowns, the arms of the East Angles; and also a cross patonce between five martlets or, the arms of King Edward the Confessor. A stone was lately found, on the outside of the eastern end of the church, on which were sculptured the arms of the De Warrens, Earls of Surrey.

No. 17.

[Chapter 11.—Page 145.]

Brief for the Repair of Tewkesbury Church in 1720.

THE Trustees of the Brief were, Daniel Kemble, Thomas Kemble, Thomas Warkman, George Taylor, William Heyward, W. Wilson, Thomas Jones, John Hawling, and Joseph Smith.

Receipt.

Amount collected by Brief	£.1470	0	0
Interest upon ditto	75	0	0
Subscriptions towards the reparation of the church	81	19	0
Produce of old materials	41	4	5
Portion of a church rate	25	6	6
Borrowed of the overseers of the poor	98	17	9
	<hr/>		
	£.1792	7	8

Expenditure.

Oak, elm, deal and other timber, (including sixteen beams for the long roof, at 2 <i>l.</i> 15 <i>s.</i> per ton)	£.351	10	9
Carpenters' work	175	11	3
Stone, from Bredon's Norton quarry, Wick near Pershore, Leckhampton and Sireford; and bricks, at 9 <i>s.</i> per 1000	124	2	0
Masons' and bricklayers' work	373	3	0
Six fadders of lead, and plumbers' work.....	183	16	0
Glass for the two windows behind the pulpit	2	0	4
Ironmongery, cords, plasterers, tilers, sawyers, labourers, halliers, &c.	494	18	0
Expenses of the rearing dinner, which was given in the free- school, and at which nearly eighty workmen dined	4	11	10
For a cane, which was given to Mr. Edmund Bradbury, for his great trouble and care in the church repairs	0	10	6
For a quarto bible, as a present to John Carloss, carpenter, for his faithfulness in this work	1	1	0
Balance	81	3	0
	£.1792	7	8

Thomas Kemmett,
George Moore,

John Laight,
Nathaniel Jeynes,

} Church-wardens.

Expenses of Erecting the Altar-Piece in 1725.

Painswick free-stone, and other materials	£.7	16	0
Four white marble slabs, 48½ feet, at 5 <i>s.</i> 6 <i>d.</i>	13	6	0
Carriage of materials, &c.....	5	17	5
Mr. John Copner,* of Haresfield, free-mason, for working and putting up the altar-piece, viz.			
Carving the pelican	2	10	0
Carving the four heads in the pediment	0	10	0
Carving the flames for the pots and the heart	0	10	0
Carving the pediment, the capitals of the pilasters, the pots or urns, and other workmanship	33	10	0
Lettering the Lord's Prayer, the Creed, and the Ten Com- mandments on the marble slabs	6	12	3
	£.70	11	8

Amount of voluntary subscriptions towards the above £.39. 0*s.* 6*d.*

* Mr. Copner having sickened and died of the small-pox, whilst at Tewkesbury, the contract, with the consent of his widow, was completed by Mr. John Ricketts, carver, of Gloucester, by whom the design of the altar-piece was originally made.

No. 18.

[Chapter 11.—Page 152.]

*Subscriptions towards the Reparation of Tewkesbury Church
in 1828.*

The Right Rev. the Lord Bishop of Gloucester.....£.21	0	E. Weedon, esq. Tewkesbury £.2	2
J. E. Dowdeswell, esq. M.P.	100	0	Thomas Blizard, esq. ditto.. 2 2
John Martin, esq. M.P....	100	0	Mrs. Blizard, ditto 1 1
Charles Hanbury Tracy, esq.	100	0	Mr. James Bennett, ditto.... 2 2
William Dillon, esq. Mythe	50	0	Mr. B. Peyton Sadler, R.N. Gloucester 2 2
J. Terrett, esq. Tewkesbury	30	0	Edward Gresley Stone, esq. Chamber's Court 2 0
Samuel Barnes, esq. ditto..	30	0	Miss Procter, Tewkesbury .. 2 0
Mrs. Martin, ditto.....	30	0	Joseph Higginson, esq. ditto . 2 0
General Dowdeswell.....	20	0	T. P. White, esq. ditto..... 2 0
Miss Smithsend, Walton- House	20	0	H. J. W. C. R. Hays, esq. ditto 2 0
Mrs. Mines, Tewkesbury..	20	0	Mr. Horniblow, ditto 2 0
Messrs. Lechmere, Wall, Isaac and Lechmere....	15	15	Mr. Henry Brydges, ditto .. 2 0
Sir C. B. Codrington, bart. Dodington Park.....	10	0	Mr. Edward Brydges, ditto.. 2 0
Thomas Caddick, esq. Tew- kesbury	10	0	Mr. Thomas Holder, ditto .. 2 0
Major Alcock, ditto	5	0	A Stranger..... 1 1
Joseph Longmore, esq. Mythe Villa	5	0	Robert Young, esq. Tewkes- bury..... 1 1
John Gardner, esq. Chel- tenham	5	0	Mrs. Cooper, ditto..... 1 1
Mr. Brown, late of Tewkes- bury	5	0	Mrs. Cross, ditto 1 1
T. Vernon, esq. Tewkesbury	5	0	Mr. Biddle, ditto 1 1
George Dumble, esq. ditto.	5	0	Mr. Thomas Arkell, ditto .. 1 1
Mrs. Hayter, ditto.....	5	0	Mr. William Ricketts, ditto.. 1 1
Miss Dumble, ditto	5	0	Mr. Richard Tree, ditto 1 1
Miss Hartelbury, ditto....	5	0	Mr. Daniel Lloyd, ditto 1 1
C. E. Chandler, esq. ditto	5	0	Mr. John Brown, ditto..... 1 1
Mr. N. Chandler, ditto....	5	0	Major Dewgnard, ditto..... 1 0
Mr. John Moore, ditto....	5	0	Mr. T. D. Lewis, Cheltenham 1 0
Mrs. Moore, ditto.....	5	0	Mrs. Ludgrove, Tewkesbury 1 0
A. B.....	5	0	Mr. Humpidge, ditto 1 0
Omwell John Lloyd, esq..	5	0	Mr. Thomas Osborne, ditto.. 1 0
Mrs. O. J. Lloyd.....	2	10	Mr. James Petley, jun. ditto 1 0
T. Postans, esq. Pimlico ..	3	0	Mr. Wallis, ditto 1 0
Mr. Banaster, Tewkesbury.	3	3	Mr. Edmund Lloyd, ditto .. 1 0
Mrs. Banaster, ditto.....	2	2	Mr. Samuel Ricketts, ditto.. 1 0
L. G. Senior, esq. ditto....	2	2	Mr. Samuel Healing, ditto.. 1 0
			Mr. John Thomas, ditto 1 0
			Mr. Samuel Jew, ditto 1 0
			Mr. William Knight, ditto .. 1 0
			Mr. T. P. Holder, ditto 1 0
			Mr. Thomas Wilks, Shipston 1 0
Total		£.697. 11s. 0d.	

No. 19.

[Chapter 13.—Page 180.]

*Modern Monuments in Tewkesbury Church.**In the Chancel.*

ON the south side of the high altar there is a handsome monumental tablet, erected to the memory of Colonel Wall—a gentleman who was universally and deservedly held in the highest respect and esteem. The following inscription appears on the monument, the decorative part of which, particularly the net-work on the urn, and the sword with its appendages, is admirably executed :

Near this spot are deposited the remains of John Wall, esq. many years Lieutenant-Colonel of the South Gloucester Militia, and late of Tewkesbury Park, near this Borough, who died August 24th, 1808, aged 64.

The tear of Widow, Children, Friends, its tribute gives;
Thus, dear in every breast, his much-lov'd memory lives.

Arms.—First Coat.—Per fess or and azure, a fess battellee, counter-battellee, between three fleur-de-lis, all counterchanged. On an escutcheon of pretence, quarterly, 1. Gules, on a fess between three swans' necks erased argent, ducally gorged of the first, three masicles sable. 2. Argent, a chevron between three eagles' legs erased, a la quise, sable. 3. Argent, on a chief gules two bucks' heads or. 4. Argent, a fess engrailed gules, between three masicles sable, all within a bordure gules.

Second Coat.—Wall, as above. On an escutcheon of pretence, ermine on a chief sable three escallops or.

Crest.—Out of a mural coronet or, a wolf's head argent, charged on the neck with a fess embattled and counter-embattled gules.

On a pillar, near the chapel of the Holy Trinity, is an elegant little monument, by Flaxman, distinguished for the ability displayed in the execution of the drapery of the figures of Hope and Charity, which ornament its sides. Underneath the words of St. Paul, "But the greatest of these is Charity," the following is inscribed, in gold letters:—

In the south aisle of the church is deposited the mortal part of Ann Lady Clarke, daughter of Philip and Catherine Haughton, of the Island of Jamaica, and wife of Sir Simon Clarke, bart. She was born in that distant colony on the 13th day of April, 1742; and died at Cheltenham, in this county, on the 19th of September, 1800.

As a wife and mother, she was tender and solicitous; and as a Christian, remarkably pious and charitable.

Near the Founder's Chapel is another neat marble monument, edged with gold:—

In memory of George Peyton, M.D. whose probity and piety will, we hope, entitle him to a joyful resurrection. He died October 22, 1742, aged 63. In the same grave is deposited the body of Elizabeth the widow of the above Dr. Peyton. She was the eldest daughter of Thomas Karver, gent.

of the city of Worcester; and in every department of life, was exemplary in her conduct, and of a true Christian disposition to God and Man. She died May 29, 1773, aged 76.

*Arms.**—Sable, a cross engrailed or, in the first quarter a mullet argent; impaling, Azure, a chevron ermine between three lions' heads erased or, langued gules, for Karver.

On the north side of the high altar, is a monument of white marble, surmounted with the effigies of the benevolent individual whose memory it perpetuates:—

In memory of Charles Wynde, esq. high bailiff, who died the 8th of September, 1716, aged 67.

He gave ten pounds per ann. for ever to be distributed by trustees according to the letter of his will; if not so done, to be stopped by his heir or possessor of the estate as oft as deficient.

Quamque opus eregi, &c.

Arms.—Gules, a chevron between three griffins' heads erased or.

Against the Pillars which support the Tower.

This monument is erected to the memory of Elizabeth Townsend, the daughter of Anthony Townsend, gent. and Elizabeth his wife, who was daughter of John Mann, sen. gent. and Bridget his wife.

Shee was a person of a true and unaffected piety, of a modest and sweet behaviour, of a generous and exemplary charity; for, by her last will and testament, shee gave two hundred pounds to be layd out for the benefit of the minister of God's Word in this parish and his successors for ever. Shee died July 29, 1685, aged 33.

“Let her own works praise her in the gates.”—*Prov.* 31. 31.

Arms.—Within a lozenge, azure, a chevron ermine between three escallops argent.

To commemorate the good deeds of Ann, daughter of Daniel Pert, esq. and wife of Paris Slaughter, of Slaughter, esq.

She lived a sincere professor of vital holiness, and honoured that profession by liberal donations to the poor.

She died October 28th, 1640, aged 84.

Arms.—Argent, a saltier azure, for Slaughter; impaling, Argent, on a bend gules, three mascles of the first. *Crest.*—Issuant out of a ducal coronet, a phoenix, azure.

In the Aisles surrounding the Chancel.

In a vault near this spot, are deposited the remains of John Reid, esq. of the Island of Jamaica. He was born on the 28th of June, 1756, and died at Cheltenham, in this county, on the 17th of December, 1813; having passed his days in the quiet occupations of retired life, distinguished for the goodness of his heart, and the mildness of his character.

* Mr. Cole says, the arms of this family of Peyton are the same as those of the Peytons of Cambridge.—*MS. Brit. Mus.*

In memory of Henry Fowke, esq. late of this borough,* born in Barbadoes on the 9th day of November, 1758, and second son of Henry Fowke, esq. and Sarah his wife, both of that island. He died on the 7th day of October, 1818, in the 60th year of his age, sincerely beloved by his family and numerous friends; who through life will bear his integrity, his benevolence, and his liberal spirit in grateful remembrance.

Arms.—Azure, a fleur-de-lis argent; on a chief of the second a lion passant gules: impaling, Argent, a saltier sable, in chief and in base a crescent of the second, within a bordure gules, for Maxwell.

Crest.—On a wreath argent and azure, an arm embowed and holding a broken spear proper.

This monument is erected by Tho. Hale, gent. in memory of his pious and vertuous consort, Letitia the daughter of the Hon. Sir Thomas Penniston, late of Cornewell, in the county of Oxon, bart. deceased, and Dame Elizabeth his wife, sole daughter and heiress of Sir Cornelius Fairedow, deceased. She died the 3d of November, 1700, aged 32 years.

Arms.—Argent, a fess sable, in chief three cinquefoils vert, for Hale; impaling, Argent, three Cornish choughs proper, for Penniston.

To the happy memory of Mary Oldisworth, daughter of Thomas Chamberlayne, of Oddington, esq. wife to Nicholas Oldisworth, gent. son of Robert Oldisworth, of Fairford, esq. mother of Mary the wife of John Sherwood, gent. and also of Margarite wife of John Mann, gent. She lived a virgin 29 yeares, a wife 5, and a widow 39, and died the 4th of August, 1684, aged 73.

She was a pattern of Piety, Charity, Modesty, Chastity, Temperance, and Frugality; of a pleasant conversation, beloved by all, and now wanted by many. All that was mortal lyes interred near this place, expecting a joyful resurrection.

Arms.—Gules, on a fess argent three lions passant guardant sable, for Oldisworth; impaling, Gules, an escutcheon argent between ten stars in orle or, for Chamberlayne.

In the South Transept.

Here lyeth brryed the body of Priscilla the wyfe of Henry Tracy, of Sowthweeke, esq. (the only daughter of Charles Evre, son of the Right Honourable Wm. Lord Evre, Baron of Witton and Mavilton,) who died the 14th of March, Ano. Dom. 1632.

Arms.—Quarterly, or and gules, on a bend sable three escallops argent.

* The offices of town-clerk and deputy recorder of Tewkesbury were most honourably and satisfactorily filled by Mr. Fowke for thirty-two years; and no man was ever more generally respected in his life time, or more unfeignedly regretted at his death. As a spontaneous mark of respect, the shops of most of the principal tradesmen, and the dwelling-houses of many of the respectable inhabitants, were kept closed during the whole of the day on which his interment took place.

Near this place are deposited the remains of the Rev. Henry Jones, M. A. 14 years vicar of this parish, and minister of Tredington. He died 3d of Nov. 1769, aged 47.

Also of the Rev. Henry Jones, M. A. vicar of this parish, and father of the above-named Henry Jones. He died 3d of May 1729, aged 38.

Also of Mathea, widow of the last-mentioned Henry Jones. She died 23d of August 1733, aged 49.

And of Mary, widow of the first-named Henry Jones. She died 18th June 1779, aged 70.

On a Pillar in the Nave.

Sacred to the memory of Richard Alcock, esq. late of this borough, who departed this life May 13th, 1829, in the 79th year of his age.

After having faithfully served his king and country in various civil and military capacities, during the greater portion of a long and useful life, he died, universally regretted; as he had lived, universally esteemed and respected.*

On the north side of the west window is a neat little tablet of white marble, erected by a bereaved father and mother to the memory of their beloved offspring:—

Sacred to the memory of Richard Brydges, a lieutenant in his majesty's navy, eldest son of Edward and Milly Brydges, of this borough, who, after a life actively employed and honourably sustained in the service of his country from his youth, was unfortunately drowned in the River Severn, on the 28th day of February, 1818, in the 26th year of his age.

Also of Charles, their youngest son, a promising youth, aged 13 years, who, at the same awful moment of time, suffered a like untimely fate with his lamented brother.

And also of John, their fourth son, who departed this life Sept. 28th, 1804, aged 7 years.

* Richard Alcock, esq. had been formerly a major in the Kilkenny militia, served the office of high sheriff, and was for thirty years a most active and useful magistrate for that county. When the French landed at Killala Bay, Aug. 22, 1798, Major Alcock fractured his leg, while in the performance of his duty; he was also taken prisoner, and detained until the invaders surrendered to the British forces, on the 7th of Sept. following. On his quitting Ireland, in 1805, he received the unanimous thanks of his brother magistrates, voted to him at the general quarter sessions, accompanied by an elegant gold snuff-box, with an appropriate inscription, expressive of their regret at his departure. He married Juliana, widow of Somerset Hamilton, first Earl of Carrick, and daughter of Henry, first Earl of Shannon. He resided, for many years previous to his death, at Tewkesbury, was a member of the body corporate, and twice served the office of bailiff of the borough.

In the North Transcript.

Here resteth what was mortal of John Roberts, of Fiddington, gent. Careful he was to maintain tillage, the maintenance of mankind. He feared God, was faithful to his country, friends, good to the poore and common wealth: just to all men. Who left us Jan. 1631, aged 77. Round the verge of the effigies of Mr. Roberts are these words: "For Christ is to mee both in life and in death advantage."—*Philippians*, 1. 21.

Arms.—Per pale argent and gules, over all a lion rampant sable.

No. 20.

[Chapter 13.—Page 180.]

Inscriptions on the Grave-Stones in the Church.

IN the south aisle, there is an old flat stone, which once occupied a different situation, with the following inscription upon it, in Lombardic characters:—

LEGER DE PTRR LYT YLY DYGVX DE SX KLDE EN
EYT MERY.*

On a brass plate, in the north aisle, is the following singular anagrammatical inscription:—

In hoc Tumulo sepulta jacet Amia uxor Johannis Wiatt, Tewkesburiensis, generosi, quæ spiritum exhalavit xxv. August Ao. Dni.——. In cujus obitum versiculos perlegito subsequentes.

A	A me disce mori, mors est sors omnibus una:
M	Mortis et esca fui mortis et esca forea.
I	In terram ex terra terrestris massa meabis;
E	Et capiet cineres urna parata cinis.
V	Vivere vis cælo, terrenam temito vitam;
V	Vita piis mors est mors mihi vita pie.
I	Ieiunea, vigiles, oras, credasq. potenti.
A	Ardua fac: non est mollis ad Astra via.
T	Te scriptura vocat, te sermo, ecclesia, mater;
T	Teq. vocat sponsas, spiritus atque pater.

* In English—"Leger de Parr lies here, God on his soul have mercy." Who this Leger de Parr was, or when he flourished, we have no information: Mr. Gough says, that the old English character began to prevail on tomb-stones in the middle of the fourteenth century, and it is therefore presumed that this stone is of a date somewhat prior.

In the South Transept.

Here lyeth Anne the eldest daughter of Sir Pavle Tracy, knight,* first wife to Edward Hall, esq. and widowe to William Ingram, esq. who decessed the 24th of February, Anno Dni. 1639.

Arms.—Within a lozenge, or, between two bends ruby an escallop in the chief point sable.

Here lyeth buried the body of Priscilla the wife of Henry Tracy, esq. (the only daughter of Charles Eure, sonne of the Right Honourable William Lord Eure, Baron of Witton and Maulton) who dyed the 14th day of March, Año Domj. 1632.

Here also lyeth buried the body of Priscilla the wife of Kemmet Freeman, gent. daughter of Henry Tracy, esq. who dyed the 27th day of May, Año Domj. 1670.

Mary, the daughter of Priscilla Freeman, and wife to John Ferryman, gent. who dyed the 15th of December 1721.

Hic

Requiescunt Cineres

Joh. Matthews per 39 Annos

Dignissimi hujus Ecclesiæ Pastoris,

Æque doctorum bonorumque deliciarum,

Utpote ipsius in primis eruditi,

Et quavis quæ Virum ac Xianum comendat

Virtute Ornati.

Decimo Quinto Mense, quo, ob virium

Et Memoræ defectionem ex Officio

Et Vita pariter decessit Maii 26, 1729,

Ætatis 79.

* Sir Paul Tracy, of Stanway, was son and heir of Richard, who was the second son of William Tracy, esq. of Todington, to whom the manor of Stanway was given by King Henry the eighth, at the dissolution of the monastery of Tewkesbury. Sir Paul was high-sheriff of Gloucestershire, 11 James I. and built the present elegant mansion-house at Stanway: he married Anne, daughter of Sir Ralph Shakerley, and was succeeded by his son Sir Richard, who married Anne, daughter of Sir Thomas Coningsby, of Hampton Court, Herefordshire. Sir Humphrey Tracy, his son, succeeded to the estate; he was sequestered in the great rebellion, and paid £.1600 for composition. He died in 1651, without issue, as did also his brothers Sir Richard and Sir John, his successors, the last of whom left the manor of Stanway to Ferdinando Tracy, esq. second son to John, third Viscount Tracy. Ferdinando married the daughter of Sir Anthony Keck, by whom he had one son, John, who married Anne, daughter of Sir Robert Atkyns, lord chief baron of the exchequer. He died in 1735, and was succeeded by his eldest son Robert, at that time M. P. for Tewkesbury. Lady Elcho, the present proprietor of Stanway, is daughter of Anthony Keck Tracy, who was the youngest of the four sons of the above John Tracy.

In St Margaret's Chapel.

M M

Culpeper, wife of Anthony Lawrence, of Seabampton, gent. eldest daughter of John Colles, of Caslet, esq. and Culpeper his wife, died Oct. the 15, A.D. 1702, æt. 40.

Antonius Filius natu Secuñd Antonij & Culpeper Laurentij, obiit Nov. 15, 1705, æt. 9. Her! Quam Cito!

Robert Colles, the son of Anthony and Culpeper Lawrence, gent. born Jan. 9, died Feb. 3, 1698.

Culpeper Pembruge, eldest daughter of Dr. Lawrence, died Sept. the 15, 1711.

Arms.—Argent, a cross raguly gules, impaling, Argent, a chevron between three leopards' heads gules, for ——. *Crest.*—On a wreath argent and gules, the tail and lower part of a fish erect and couped proper. *Motto.*—Loyal an Mort.

In the Aisles surrounding the Chancel.

D'Avenant Hankins, esq. obiit 6th Oct. 1762, ætatis 54.

Elizabeth Hankins, relict of the above, died 24th of Aug. 1805, aged 80 years.

Arms. Argent, a lion passant gules, langued azure, on three bars wavy azure; on a chief of the last three bezants, for Hankins,* impaling, Gules, on a cross fretty argent pierced twelve escallops sable, three on each extremity paleways, for Humphreys.

Here was buried, Sept. 1745, the body of Mrs. Dorothy Popham, wife of Edward Popham, esq. of Tewkesbury Lodge.

Here also lieth Letitia, daughter of Edward Popham, esq. by Dorothy his wife. She departed this life the 6th day of February 1753, in the 29th year of her age.

Here lieth the body of Edward Popham, esq. of Tewkesbury Lodge, who departed this life the 20th day of May 1753, aged 65.

Arms.—Argent, on a chief gules two bucks' heads or. *Crest.*—On a wreath argent and gules a buck's head erased proper.

Here lyeth the body of Mrs. Catharine Hancock, daughter of William Hancock, esq. and Anne his wife, who died November 24th, 1729, aged 67.

Arms.—Within a lozenge, Gules, a dexter hand couped argent, on a chief of the second three fighting cocks of the first.

* Robert and Thomas de Hankins, sons of Frederick de Hankins, of Mayon Castle, in Normandy, accompanied Duke William to England in 1066. The conqueror rewarded them for their services: he knighted Robert, and made him governor of the castle of Carlisle, in Cumberland, a place of great trust; he gave Thomas an estate near Whitehaven, in the same county, and honoured him with the above coat of arms, to be borne by him and his posterity.



Here lies the Hon. Elianor Stanford, daughter of Edward Stanford, esq. of Sawford, in the county of Warwick, by his wife Katharine Cocks of Northey, in the county of Gloucester. She was wife of the Hon. Francis Stafford, son of William Lord Viscount Stafford and the Lady Mary Countesse of Stafford his wife, descended from the antient Princes the Staffords Dukes of Buckingham and Earls of Stafford, &c. She had issue by him one son named Henry, who putts this stone upon her, in memory of a pious wife and tender mother. She departed this life the 26th day of October, Anno Dni. 1707.

Arms.—Within a lozenge, or, a chevron gules, a mullet for difference, for Stafford; impaling, quarterly, 1st and 4th. Argent, three bars azure for Stanford, 2d and 3d, Sable, a chevron between three stags' attires fixed to the scalps argent, for Cocks.

Here lyeth the body of Charles Bridges, esq. second sone of Sir Giles Bridges, of Wilton-Castle, Barronet, who departed this life the 5th day of May, Ano. 1669.

Anne Bridges, widowe, died the 25th of January 1695.

Gyles Bridges, gent. died the 19th of June 1705.

In memory of John Bridges, esq. who died April the 6th, 1731, aged 70.

Arms.—Argent, on a cross sable a leopard's head cabossed or, a crescent for difference.

MS.

V. CL. Samuelis Jones,
Ob vere egregias animi dotes,
Linguarum Scientiam,
Multifariam eruditionem,
In religione ac doctrinâ promovendâ studium,
Et singularem vitæ utilitatem,
Existimationis apud omnes summæ
In coelos accitus est.
Anno Ætatis 38,
Octob. 11, 1719.*

In the Nave.

Edwardus Wakeman, Armiger, qui obiit 3 die Decembris An. Dni. 1634.
Resurget et Vivet per illum qui dixit "Ego sum Resurrectio et Vita."
Ann the daughter of William Wakeman, gent. deceased 22d July Anno Dom. 1693.

Arms.—Vert, a saltire wavy ermine.

* Some account of the Rev. Samuel Jones may be found in page 255.

No. 21.

[Chapter 13.—Page 180.]

Tombs, &c. in the Church-Yard.

NEAR the entrance into the church-yard, there is a plain flat tomb, without an inscription, apparently of considerable antiquity. It probably once occupied a more honourable situation in the church, and seems to have had an upright cross morticed into it, the lower part of which is still visible. Mr. Gough, in his "*Sepulchral Monuments*," considers these kind of tombs to be the oldest of any.

On a dilapidated tomb, near to the above :—

Erected to the memory of Charles Hoskins, son of Thomas Hoskins, of the county of Middlesex, esq. and Anne his wife.

He was nine years in slavery in Algiers, and being thence ransomed by the compassionate bounty of his pious mother, was here buried July 20th, 1625.

A neat modern tomb, at the west end of the church-yard, records the melancholy fate of an enterprising young officer :

Beneath this stone, on the 4th day of March 1818, were deposited the mortal remains of James Butcher, a lieutenant in his majesty's navy; who was unfortunately drowned in the River Severn on the 28th of the preceding month, in the 32d year of his age.

Devoted to his profession, he had honourably fulfilled its duties, and amply shared its toils and perils, in Europe, Asia and Africa. Mild of temper, and inoffensive in manners, his general conduct, during too short a life, had secured to him the esteem and regard, while his premature death called forth the sorrow and regret of all who knew him; but of no one more sincerely than of him who has framed this last feeble tribute to his memory and worth.

On a neat raised tomb, inclosed in a cradle of iron railing, on the west side of the church-yard, is the following curious inscription; proving the divinity of our Saviour Jesus Christ, and demonstrating a perfect equality of the second with the first person in the Godhead, from the same names and attributes being indiscriminately ascribed to both in the original language of Holy Scripture. This tomb was erected by the Rev. William Smith, rector of Birtsmorton and curate of Ashchurch, who for many years resided in Tewkesbury.

On the left side.

The Remains
OF
the most affectionate, endearing and best of Women,
MARY SMITH,
late wife of
The Reverend WILLIAM SMITH,
were deposited here, on November 12th, 1787;
in the 46th Year of her Age.
A disconsolate and inconsolable Husband erects this small Tribute to the
Memory of her, who was dearer to him than his own Life.
Qualis fuit, postrema Dies indicabit.
For we shall all stand before the Judgment seat of CHRIST.(a)
ALEIM [GOD] shall bring every Work into Judgment with every secret Thing, whether
it be good, or whether it be evil.(b)
For ALEIM [GOD] is Judge Himself(c) JEHOVAH cometh to judge the Earth;(d) And
saith, I will gather all Nations and Tongues.(e)—Wherefore,
Hear, O Isral, JEHOVAH our ALEIM is JEHOVAH alone.(f) The most HIGH.(g)
As I live, saith the Lord [JEHOVAH, ALEIM] every Knee shall bow to Me, and every
Tongue shall confess to God [ALEIM].(h)
Every Tongue shall confess, that JESUS CHRIST is the Lord [JEHOVAH, ALEIM], to
the Glory of [JEHOVAH, ALEIM] GOD the Father.(i)

(a) Rom. xiv. 10.—(b) Eccles. xii. 14.—(c) Ps. l. 6.—(d) 1 Chron. xvi. 33. Pa. xcvi. 13.—(e) Isa. lxvi. 18.—(f) Deut. vi. 4. Mark xii. 29, 32.—(g) Pa. lxxxiii. 18.—(h) Rom. xiv. 11. Isa. xlv. 23.—(i) Phil. ii. 11. Isa. lxvi. 18.

The Feet.

אֵלֶיךָ
EFG EIMI

is the same
incommunicable
Name

I AM, in

O. T. as Exod. iii. 14. and
N. T. as John viii. 24, 28, 58,
Matt. xiv. 27.

O JEHOVAH, the ALEIM [GOD] of Isral, Who dwellest
between the Cherubs, Thou only art the ALEIM
over all the Kingdoms of the Earth.(a)
The four living Creatures rest not Day and Night,
saying, Holy, Holy, Holy LORD [JEHOVAH] of Hosts,
GOD [ALEIM] Almighty, Who was, and is, and is to come.(b)
Trust ye in JEHOVAH for ever;
For in JAH JEHOVAH is everlasting Safety,(c)
JESUS CHRIST the same Yesterday, To-day, and for ever.(d)
How amiable are Thy Mansions,
O Thou JEHOVAH the ALEIM of Hosts.(e)
Blessed be JEHOVAH the ALEIM of Isral,
From everlasting, & to everlasting,
Amen, and Amen.(f)

לֹא יַעֲרִי וּמִצְאָתִי אֵל רַחֲמִים
יַעֲרִי וּלֹא מִצְאָתִי אֵל רַחֲמִים
יַעֲרִי וּמִצְאָתִי רַחֲמִים :

(a) 2 Kings xix. 15.—(b) Rev. iv. 8. Isa. vi. 3 & xlii. 6.—(c) Judges v. 3.—(d) Heb. xiii. 8.—(e) Pa. lxxxiv. 1, 8.—(f) Pa. xli. 13.

אֵל
אֵלֶיךָ
O ΩN

is the ESSENCE,
He Who is, or
the BRING, in

Exod. xv. 2. Isa. xlii. 2. xxvi. 4.
and
Rev. i. 4, 8. iv. 8. xi. 17.

The Head.

The CHERUBIM of Glory, or Similitude of the ALKIM,
the Almighty CREATORS, with Man in Union.—*Heb. ix. 5.*

CHERUBIC FIGURES,

Carved and Coloured.

From the Plate in Bates's Translation of the Pentateuch, and in the
second edition of Parkhurst's Hebrew Lexicon.

Exod. xxv. 18—22. xxxvii. 7—9. 2 Chron. iii. 10. v. 8. 1 Kings vi. 23—28.
viii. 7. Ezek. i. 5—11. x. 14, 18—22. Exod. xl. 20. 2 Kings xix. 15. Lev.
iv. 6. xvi. 12—14. Heb. ix. 4, 5. Confer. v. 13. Rev. viii. 4. and v. 8.

On the right side.

In this Vault also rest the
Remains

OF

WILLIAM SMITH, A. M.

Removed from this Life on the 6th of November, 1796,
Ætatis 60.

By his Death
Society lost a most useful Member,
Christianity a powerful Advocate,
Mankind a real and pure Friend.

On an upright head-stone, between two of the large chesnut trees :—

In memory of John Hart, who died Jan. 22, 1800, (the sixth descendant from
the Poet Shakspeare,) aged 45 years.

Here lies the only comfort of my life,
Who was the best of husbands to a wife;
Since he is not, no joy I e'er shall have,
Till laid by him within this silent grave.
Here we shall sleep, and quietly remain,
Till by God's pow'r we meet in heaven again ;
There with Christ eternally to dwell,
And until that blest time, my love, farewell !*

* Although there is no lineal descendant of Shakspeare now living—his grand-daughter, the lady of Sir John Barnard, of Abingdon, near Northampton, being the last of the poet's family in the direct line—yet from Shakspeare's favourite sister Joan, who married William Hart, a hatter, of Stratford-upon-Avon, about 1599, has regularly descended the present family of the Harts of Tewkesbury. John Hart, who is described above as the sixth in descent from Shakspeare, left two sons, the eldest of whom,

No. 22.

[Chapter 14.—Page 183.]

*A Terrier of all the Glebes, Lands, Tithes, and other Rights,
belonging to the Vicarage of Tewkesbury, in the
Diocese of Gloucester.*

Extracted from the Registry of the Lord Bishop of Gloucester.

Imprimis. The church and church-yard of the parish of Tewkesbury.

Item. A glebe house, in length about 45 feet, in breadth about 40 feet, with a garden walled round, adjoining the church-yard, and measuring (including the site of the house) about one quarter of an acre.

Item. Land in lieu of the great tithes of the parish of Tredington, set out by virtue of an Act of Parliament in the year 1806, for inclosing the said parish, measuring 122A. 2R. 5P. and the church-yard of Tredington aforesaid.

Item. Land in lieu of the great tithes of the hamlet of Fiddington, in the parish of Ashchurch, set out by virtue of an act of parliament in the year 1811, for inclosing the said hamlet, measuring 113A. 1R. 6P.; and also

William Shakspeare Hart, an industrious chair-maker, is now residing in this town, and has a large family. Sir R. Phillips, (vide *Monthly Magazine*, Dec. 1817,) thinks that a striking resemblance is discernible in the contour of Hart's countenance to the portrait of Shakspeare in the first folio edition of his works, which we have Ben Johnson's testimony for believing to be an authentic likeness. Ireland, in his *Picturesque Views on the Avon*, makes a similar observation with regard to John Hart's father: alluding to the bust of Shakspeare, in Stratford church, and its resemblance to the print above-mentioned, he says, that there was "in the countenance of the late Mr. Thomas Harte, the descendant of Shakspeare's sister, a strong similitude to the markings of this figure." Poor Hart has now no relic of "the Bard of Avon"—a long walking-stick, which was given to him by his grandfather, just before his death, and which had been much valued by the family in consequence of its having belonged to Shakspeare, he confided to the care of the late Editor of the *Monthly Magazine*, in 1817. Mrs. Kingsbury, of this town, (who is related to the family of the Harts,) has in her possession a large earthen jug, with raised figures upon it, representing some of the personages in the heathen mythology, which is said to have been part of the property left by Shakspeare to his sister Joan. A neat silver top has recently been added to the jug, on which a head of the bard is engraved. Mrs. K. has likewise a metal pencil-case, supposed to have belonged to the immortal dramatist, on which an old-fashioned cipher WS. is engraved. Both these articles have unquestionably been long in the possession of the poet's descendants, and there is great probability for supposing them to have once been the property of Shakspeare himself.

the great tithes of about twelve acres of arable land in the said hamlet, now occupied by Mr. Hobbs.

Item. One third part of the tithes of the parish of St. Ismael in Rose, in the county of Pembroke.

Item. Land exchanged for other land in the Oldbury Field, in the parish of Tewkesbury, in virtue of an act of parliament in the year 1808 for inclosing the said field, measuring 2A. 2R. 10P.

Item. A small inclosure on the Ashchurch-road, containing 1A. 3R. 32P. being the first field on the left hand on the further side of Saladine Bridge.

Item. A small estate at Greet, in the parish of Winchcomb, consisting of about fifteen acres.

Item. An interest in an estate at Gretton, in the parish of Winchcomb, being the profit of £.100 laid out on behalf of the minister in the year 1725, and now producing £.6. 18s. per annum.

Item. One annual payment of £.4. 17s. 6d. from the tellers of his majesty's exchequer.

Item. One annual rent charge of £.3. 5s. issuing from an estate at Stoke Prior, near Bromsgrove, in the county of Worcester.

Item. One annual rent charge of £.1 per annum issuing out of a house near the Crescent, Church-street, now occupied by Mr. Jacob Allis.

Item. One annual rent charge of 10s. per annum on a ground called the Red Pools, at the Mythe.

Item. There is paid for every banns put up in the church 2s.—for every marriage by banns 5s.—for every marriage by license 10s. 6d.—for every person dying out of the parish and brought to be buried 6s. 8d.—and for every churching 1s.

Item. For every person buried in the chancel £.5. 5s., and in any other part of the church £.3. 3s.

Item. In abeyance, all and singular privy or small tithes and Easter offerings yearly coming, arising, increasing and renewing, within the town and borough of Tewkesbury.

Signed, the 23d day of June, 1828,

Charles White, Vicar of Tewkesbury.

James Bennett, }
William Moore, } Churchwardens.

N.B. The land at Tredington and Fiddington is subject to the payment of fee-farm rents amounting to £.62. 11s. 5½d. and to the annual payment of £.12 to the perpetual curate of Ashchurch, and £.12* to the perpetual curate of Tredington, deducting from each a proportional share of all expenses incident to the said land.

* This sum is now increased to £.18, without any deduction.

No. 23.

[Chapter 14.—Page 189.]

*Letter from Bishop Warburton.**To Mr. White, Deputy Registrar, Gloucester.*

Free, W. GLOUCESTER.

SIR,—You will see the inclosed letter is of a delicate nature, and therefore I am unwilling to send it to a stranger uncopied, which forces me to desire you would take a copy of it, and then seal it and send it as directed.

I am, your faithful friend and servant,

P. P. Oct. 12, 1764.

W. GLOUCESTER.

REV. SIR,—I am much obliged to you for the information you have given me of this unhappy man, Williams. You have done your duty in a proper and exemplary manner, by admonishing him not to come to the sacrament till he has made a public recantation. If he shall presume to come, it is your duty to reject him. I further desire you to admonish him, in my name, to give public satisfaction for the scandal he has occasioned. And this I suppose is all which the laws will permit me to do in performance of my promise at my consecration—*to be ready with all faithful diligence to drive away all erroneous and strange doctrines, &c.*

By the fifth Canon of 1603, excommunication is denounced against all who hold that any of the thirty-nine Articles are superstitious or erroneous; and therefore you may suppose, that this man may be prosecuted in my court. But the civil courts have declared that these Canons bind only churchmen, and not laymen; and indeed it seems as if this Canon should be so interpreted.

In the 9. 10. Will. III. there is an act for suppressing blasphemy and profaneness, under which Williams expressly falls. This act declares that whoever, by writing, printing or teaching, shall deny *any one person in the holy Trinity to be God*, and shall be convicted thereof in any of his Majesty's courts at Westminster, shall be adjudged incapable of holding any employment, ecclesiastical, civil or military, and shall forfeit what they do hold. This for the first offence; for a second, still greater penalties; and, amongst the rest, three years' imprisonment. By this you see, any inhabitant of Tewkesbury, who has taken just scandal and offence at this impudent fellow, has it in his or her power to prosecute him in the civil courts, on this statute. But whoever has taken offence must not expect that I should be the delator. When I promised *to be ready with all faithful diligence to drive away all erroneous and strange doctrines, &c.* I did not understand that I engaged

myself to deliver over heretics to the secular arm, or to drive them away with any other weapons than the sword of the Spirit, which excommunication would indeed be, were it not attended with civil consequences: which, as it is, I should forbear to use it in my court, though it were clear that this man was subject to it. All I can do, I am ready to do—and therefore, in conclusion, I beg you would wait, in my name, and with my compliments upon the man's mistress, (Mrs. Bromley,) and tell her I have heard of the great scandal which her impertinent footman has given; and that (if she will not think it persecution) she would consult her own honour by turning him away, and thereby free herself from all imputation of giving encouragement to so audacious insolence.

I am, Rev. Sir,

Your loving brother and servant,

W. GLOUCESTER.

To the Rev. Mr. H. Jones,

Vicar of Tewkesbury, in Gloucestershire.

No. 24.

[Chapter 15.—Page 197.]

Titles of the Local Acts of Parliament relating to Tewkesbury.

26 Geo. III. 1786.—An Act for Paving, Repairing, Cleansing, Lighting, and Watching the Streets, Lanes, Ways, Passages, and Places, within the town of Tewkesbury, and the Precincts thereof, in the county of Gloucester; for the removal of present, and prevention of future, Encroachments, Nuisances, and Annoyances therein; for regulating Carts and other Carriages, and ascertaining the Rates of Carriage; and for Widening some part of the Street called Church-street, within the said town.

32 Geo. III. 1792.—An Act for the better Relief and Employment of the Poor of and belonging to the parish of Tewkesbury, in the county of Gloucester.

48 Geo. III. 1808.—An Act for taking down and re-building the Key Bridge across the River Avon, in the borough of Tewkesbury, in the county of Gloucester, and for making and forming convenient Roads thereto.

48 Geo. III. 1808.—An Act for inclosing Lands in the borough and parish of Tewkesbury, in the county of Gloucester; and for vesting the After or Latter Math of a Meadow called Severn Ham, within the said borough and parish, in Trustees for certain Purposes.

53 Geo. III. 1812-13.—An Act for erecting a New Gaol, House of Correction, and Penitentiary House, in the borough of Tewkesbury, in the county of Gloucester.

4 Geo. IV. 1823.—An Act for building a Bridge over the River Severn, at or near to the Mythe Hill, within the parish, and near to the town, of Tewkesbury, in the county of Gloucester, to the opposite side of the said River, in the parish of Bushley, in the county of Worcester; and for making convenient Roads and Avenues to communicate with such Bridge, within the counties of Gloucester and Worcester.

7 Geo. IV. 1826.—An Act for altering, amending and enlarging the Powers and Provisions of an Act relating to the Tewkesbury Severn Bridge and Roads.

7 Geo. IV. 1826.—An Act for making, maintaining and repairing certain Roads leading into and from the town of Tewkesbury, in the county of Gloucester, towards the cities of Gloucester and Worcester and the towns of Cheltenham, Stow-on-the-Wold, Evesham and Pershore, and certain other Roads therein mentioned, in the counties of Gloucester and Worcester.

No. 25.

[Chapter 15.—Page 207.]

Abstract of the Charter of 17 Elizabeth.

4th April, 1574.

QUEEN Elizabeth, by her charter then dated at Gorhambury, recites, That her town or borough of Tewkesbury, in the county of Gloucester, had remained from the ancient crown of England, and that the burgesses and inhabitants had enjoyed many jurisdictions, rights, franchises, liberties and customs, as well by prescription as by letters patents of King Edward the third, and by colour of a charter and grant of Gilbert de Clare, Earl of Gloucester and Hertford, in King Edward the second's time, to them and their successors granted, and that the same had been confirmed by her own letters patents and by those of divers of her progenitors.

That the said town, for time immemorial, had chosen two bailiffs, two serjeants at mace, and two constables yearly, for the better government of the inhabitants.

That the said town was great and very populous, and consisted of two several manors, liberties or jurisdictions, viz. The manor or liberty then late of the abbot or monastery of Tewkesbury dissolved, called the Abbey.

Fee; and the manor, liberty or borough of Tewkesbury, called Warwick's and Spenser's Lands.

And also recites, that the said bailiffs and other officers of the said borough could not enter into the said liberty of the Abbey Fee, or the houses, lands, &c. parcel thereof, for government thereof, by reason whereof many evils daily happened by malefactors flying into the said Abbey Fee Liberty and there remaining.

For remedy whereof, the said queen did, (at the humble request of the said bailiffs, &c.) ordain, constitute and grant, for herself, her heirs and successors,

That the town of Tewkesbury aforesaid, and the whole fee called the Abbey Fee in Tewkesbury aforesaid, and also the whole manor and liberties, parcel of the possessions of the late monastery, should be from thence a free borough, consisting of bailiffs, burgesses and commonalty of the said town and borough of Tewkesbury.

That the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, should be able to possess lands, &c.

That they should prosecute and defend actions, &c.

And that they should have a common seal for transacting their business.

The said queen, by her said charter, nominated the bailiffs and the twelve principal burgesses, and directed that they should be the common council of the said borough; and that they and their successors should take an oath before the steward of the said town or his deputy, at the then next court leet after they should enter into their respective offices, of their fidelity towards the said queen, her heirs and successors, and for their due government of the said town.

That the said bailiffs, constables, &c. should be sworn at the next court leet held for the said borough after Michaelmas Day.

That on the death, &c. of any of the burgesses, the majority of the survivors should elect other persons in their places in eight days' time, who should take the oaths of fidelity, &c. before the said bailiffs or one of them, and six of the said principal burgesses.

That the said bailiffs and burgesses should have power to make bye-laws for the government of the tradesmen and other inhabitants of the said borough.

That the extent of the said borough, and the jurisdiction of the said bailiffs, burgesses and commonalty thereof, should be and extend itself as follows, viz.

Eastward by the whole field of the Oldbury to the end of the said borough, and to the end or last place of the said borough unto a stone bridge called Salendine's bridge. And further westward to the water of Avon, and so to the mills called the Town Mills, and further by the king's highway to a place called the Hermitage, at the end of a bridge called



Holme Bridge. And northward to the end of the said borough leading towards the city of Worcester, about forty paces beyond the wooden bridge which lyeth over the water called Old Avon, to a great stone in the causeway there pitched; and back again to the end of the said borough northward, leading towards Mitton, unto the end of a certain lane there by the town field of Oldbury aforesaid, and to the end of another certain lane called the Quay-Lane, reaching by the whole quay, and so by the bank of a certain meadow called Severn Ham to a place called Avon Mouth. And southward to the water of Swilgate, running eastward from a wooden bridge leading to the lands then or then late of Alexander Whitehead, to a meadow called Swilgate Meadow, unto another bridge in the end of a certain lane there called the Gander-Lane; and from the said lane called the Gander-Lane by the wall called Warkhay Wall, there compassing by the parts of the church; the same being the end and bounds of the ancient liberties of the town or borough of Tewkesbury aforesaid.

And also granted, that as the said bailiffs, &c. had for time immemorial holden two markets every week throughout the year, viz. on Wednesday and Saturday, for all kinds of grain and other dead victuals and merchandize;

That they should also, upon Wednesday weekly, hold therein a market for cattle, wool, yarn, hemp, linen, &c.

And also, that they should hold a fair yearly on St. Mark's Day for ever, and a court of *pie poudre*.

Excepting and saving to the said queen, her heirs and successors, tolling, stallage, piccage, fines and amercements, and all other profits, commodities and emoluments whatsoever to such like market or fair granted within the town or borough aforesaid belonging. The same to be levied by the bailiffs to the use of the said queen, her heirs and successors, and to be accounted for yearly by them to the auditor of the county of Gloucester.

And further granted, that the said bailiffs should be clerks of the market, so long as the town was not within the verge of the household, and that no other clerk of the market should enter and intrude himself there.

That the jurisdiction of the said bailiffs, &c. should extend over the whole liberty of the Abbey Fee, and all the bounds and limits of the same.

That the said bailiffs, &c. should hold a court of record every Friday in the year, (before the said bailiffs, at the Tolsey or other more convenient place within the said borough,) of pleas of debt, &c. not exceeding forty shillings, and that they should attach the bodies of defendants by process directed to the sergeants at mace of the said borough. The fines and amercements arising therein reserved to the said queen, her heirs and successors; and the bailiffs to account yearly for the same to the auditor of the county of Gloucester aforesaid.

That Mr. Barston should be the first town-clerk, and exercise the same so long as he should behave himself well.

That the said bailiffs, &c. or the major part of them, should choose, upon the said Barston's death or removal, a town-clerk, and discharge and remove him at their pleasure.

And that the said bailiffs, &c. and all burgesses of the said borough, should enjoy their former liberties, privileges, franchises, &c.

Subject to a proviso that the grant aforesaid should not injure the queen's steward or his deputy in any privileges which he had usually enjoyed.

That the steward or his deputy, at the courts held every Friday by the said bailiffs, might be present with them in court.

And that the said bailiffs, &c. should have power to possess lands, so that the same did not exceed £.40 per annum.

No. 26.

[Chapter 15.—Page 207.]

Abstract of the Charter of 3 James I.

18th October, 1605.

THE former charter recited, and the incorporation confirmed.

The bailiffs, burgesses and commonalty to have a common seal, which they may break or change at pleasure.

The bailiffs to continue in office till the Thursday before the feast of St. Simon and St. Jude.

Twenty-four principal burgesses.

Power to call the common council together, and to make statutes and ordinances for the good government of the borough.

And to impose penalties on such as offend against them.

To choose bailiffs yearly on the Thursday before the feast of St. Simon and St. Jude, to be sworn before their predecessors and such of the principal burgesses who may be present.

To choose a bailiff in the place of any who shall die or be removed during his year.

The like of any of the principal burgesses.

To elect and swear other inferior officers.

To impose a penalty upon such as shall refuse office after being chosen.

A weekly court of record not exceeding £.30.

A fair on the feast of Invention of Holy Cross, in the month of May, instead of that on St. Mark's Day.

A court of orphans within the borough; and the bailiffs, burgesses and commonalty to have custody of the lands, goods and chattels of orphans until twenty-one years of age, if sons; and until that age or the time of their marriage, if daughters; with power to summon executors and administrators, and commit them for disobedience; and also power to take securities for rents, &c. belonging to orphans, in like manner as the mayor and aldermen of London had in that respect.

Power to tax the inhabitants towards the necessary expenses of the borough, with authority to enforce payment.

The bailiffs and two others to be justices of the peace, and any three to hold sessions: not to determine any offence touching life or member.

Power to choose a coroner.

Confirmation of former liberties.

No. 27.

[Chapter 15.—Page 208.]

Abstract of the Charter of 7 James I.

23d March, 1609.

THE borough enlarged, and to extend over the whole hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester.

Power to perambulate and set bounds.

To have two bailiffs, twenty-four principal burgesses, and twenty-four assistants.

To have six justices of peace, including the bailiffs, there being formerly but four; with their power, and an inhibition to county justices not to intermeddle in the town or parish.

To hold plea of actions to the amount of £.50, instead of £.30.

To choose a high steward.

To have a chamberlain.

To have acknowledgment of statutes, and a seal.

To have a gaol within the borough, and the bailiffs to be the keepers of it.

To have all fines, amercements, recognizances, felons' goods, &c.

Power to press and to train and muster within the borough.

The bailiffs, burgesses and commonalty exempted from service at assizes and sessions, unless they have lands out of the borough.

The bailiffs and burgesses to have the return of writs.

Two burgesses to be sent to parliament.

Two fairs, (over and above any fairs or markets formerly granted or used in the borough,) one on the feast of St. Barnabas in June, and the other on the feast of St. Michael in September, with a court of pie powder, tells, &c.

Power to elect strangers to be burgesses.

Power to punish drunkards, fornicators, scolds, and other offenders.

Power to purchase lands not exceeding £.100 per annum.

Confirmation of former liberties.

A grant of a free-school, and the governors incorporated.

Power for the governors of the school to purchase, not exceeding £.30 per annum.

No. 28.

[Chapter 15.—Page 310.]

Abstract of the Charter of 2 James II.

13th March, 1685.

RECITES former charters, &c. adds the village or hamlet of Walton-Cardiff to the borough, and incorporates the burgesses and inhabitants by the name of "the mayor, aldermen and common council of the borough of Tewkesbury, in the county of Gloucester."

To have a common seal, &c.

Confirmation of all their former liberties, privileges, &c.

Liberty of perambulation through the liberties of the town, hundred, &c.

To have within the borough a mayor.

The mayor and twelve other persons to be the common council.

To have a chief steward.

The mayor, the chief steward or his deputy, and three others of the common council chosen yearly, to be aldermen and justices of the peace, with the same powers as those belonging to any other justices of peace within the realm.

Charles Hancock, esq. to be the first mayor.

Henry Duke of Beaufort to be the first chief steward.

The mayor, &c. after the determination of the Duke of Beaufort's office, may appoint another person to be chief steward.

The said Duke of Beaufort, and the said Charles Hancock, and John Mann, William Saunders, and John Peyton, to be the first aldermen and justices of the peace.

The said Duke of Beaufort, Charles Hancock, John Mann, William Saunders, and John Peyton, and also Samuel Hawling, James Simpson, William Jennings, Charles Wynde, William Wilson, Thomas Bartholomew, William Jones, and George Moore, to be the first and modern common council.

The mayor or his deputy may summon courts of common council.

The majority of the common council, at chamber meetings, to have power to make orders respecting the government of the town.

The mayor, &c. to have power to put "pains, punishments and fines" upon such as offend against these orders.

A new mayor to be chosen annually from the common council, on the Thursday before the feast of St. Simon and St. Jude.

The new mayor to take an oath before his predecessor for the due execution of his office.

In case of the mayor's death or removal during his mayoralty, the common council may elect another from their body to be mayor.

In case of the death or removal of any of the aldermen or common councilmen, others to be elected in their places.

A coroner to be chosen.

The king appoints James Simpson, gent. to be the first coroner.

In case of the coroner's death or removal, the mayor, aldermen and common council may choose another during pleasure.

The coroner to have power within the borough, &c. and to take an oath.

The mayor or his deputy, the chief steward or his deputy, and the three aldermen or justices, or any three of them (the chief steward or his deputy being one) shall have power to enquire into offences, &c. and to hold sessions.

The county justices not to intermeddle within the town or parish of Tewkesbury, nor within the town or hamlet of Walton-Cardiff, nor within any other town, hamlet, or place, reputed within the parish of Tewkesbury, and the precincts of the same.

A court of record to be kept every Friday.

Power to arrest, and to hear and determine suits.

James Simpson, gent. to be common clerk of the said borough and clerk of the peace.

After his death, the mayor, &c. may choose another common clerk, &c.

One of the common council to be chosen chamberlain.

To take an oath, &c.

The chamberlain to receive and keep, for the use of the corporation, all rents, fines, &c.

The chamberlain to keep the records of the borough, and to account yearly at the feast of St. Simon and St. Jude.

The chamberlain or his executors to account.

William Jennings to be the first chamberlain.

The mayor, &c. after the surrender or death of William Jennings, to have power to choose another chamberlain.

The mayor, &c. may choose serjeants at mace, constables and other officers, and swear them.

In case of the death or removal of any of their officers, to choose new ones.

To fine or imprison such burgesses as refuse to serve offices.

The mayor or his deputy, and the king's clerk of the borough, may take recognizances.

The town-clerk to be clerk of the recognizances.

The mayor and common clerk to have a seal to seal recognizances, and full power in all things touching the same.

The mayor, in case of sickness or absence, to appoint a deputy.

To have the two usual weekly markets, on Wednesdays and Saturdays.

To keep five fairs yearly, as they used to do, viz. on the third of May, the feast of St. Barnabas, the feast of St. Bartholomew, Michaelmas Day, and Matthias's Day—the fairs to continue two days together, unless one of the days be the Lord's Day, and then on the Monday following: together with the court of *pie poudre*, and all liberties and free customs, tolls, stallage, piccage, fines, amercements, and all other profits and liberties to the said fairs or court of *pie poudre* belonging.

The mayor or his deputy to be clerk of the market.

The mayor to appoint a water bailiff.

The mayor, aldermen and common council, or the major part of them (the mayor being one) may tax the burgesses and inhabitants in any sum of money towards the necessary expenses of the borough and repair of common bridges, or for any other matters of the borough, or touching and concerning this charter and obtaining the same; and to levy such sums by distress, imprisonment, &c. and this charter to be sufficient warrant and discharge to the said mayor, &c.

To have a gaol, and the mayor to be the keeper of it.

To have all fines, &c. forfeited or imposed upon residents of the borough, &c. to be taken by the chamberlain.

To have also the goods of felons, fugitives, outlaws, &c. forfeited within the precincts of the borough, to be seized and taken by the chamberlain.

The mayor, &c. and all officers within the borough, to be exempt from serving upon juries out of the same, unless they have lands out of the precincts.

The mayor or his deputy to have the return and execution of all writs, &c. within the borough and precincts.

The mayor, aldermen and common council to elect and send two burgesses to parliament, who are to have their expenses borne at the charge of the said borough.

The king, by order in his privy council, may remove the mayor, chief steward, aldermen, justices, common councilmen, common clerk, clerk of the peace and chamberlain.

The mayor and aldermen before named to take an oath before James Simpson and Benjamin Hyett.

The mayor, &c. to give the same oath to the rest of the common council, &c.

The mayor, &c. to have power to make freemen, &c.

The burgesses to enjoy all their former privileges.

No foreigner to exercise any trade within the borough.

To punish drunkards, &c. and all scolds or malicious brawlers.

To purchase lands, &c. so that they do not exceed the clear yearly value of £.200; and to dispose of the same at their pleasure, notwithstanding any statute to the contrary.

The burgesses to be free from payment of all manner of tolls, &c. in all places, in as large a manner as by the charter of King Edward the third, and by other charters, hath been granted to the burgesses of the said town of Tewkesbury.

A confirmation of all their former liberties, &c. and of all their lands, &c.

To hold their liberties, &c. free from trouble, and no *quo warrants* to be brought against them, &c.

To have a free grammar school, to be called "the free grammar school of William Ferrers, citizen and mercer of London," &c.

To be one chief master or teacher, and an undermaster or usher, to instruct the scholars in the same school.

The mayor, &c. to be governors of the said school.

The governors to have a common seal.

May purchase lands, &c. for maintaining the school.

May plead by that name.

The governors to choose a master and usher, to continue in office during the pleasure of the said governors.

In case of the master or usher's death or removal, to choose a successor.

The major part of the governors may make orders for governing the school, &c.

May purchase lands not exceeding £.50 per annum.

Any person may give lands not exceeding that value.

All things in this charter to be firm and valid in law, &c.

Dated at Westminster, the 12th of March, in the 2d year of the reign of King James the second.

No. 29.

[Chapter 15.—Page 210.]

Present Charter of the Borough, granted by King William III.

13th July, 1688.

WILLIAM III. by the Grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, and so forth. To all to whom these letters patents shall come, greeting.

Whereas our great grandfather, James I. late king of England, &c. by his letters patents under his great seal of England, bearing date the twenty-third day of March, in the year of his reign of England, France and Ireland the seventh, reciting, that whereas our sovereign Lady Elizabeth, late queen of England, by her letters patents, sealed with her great seal of England, bearing date at Gorhambury the fourth day of April, in the seventeenth year of her reign, (amongst other things,) had willed, ordained, constituted, granted and declared, that the town of Tewkesbury, in the county of Gloucester, and the whole fee called the Abbey Fee in Tewkesbury aforesaid, and also the whole manor and liberty of the late abbey or late dissolved monastery of Tewkesbury, called the Abbey Fee, parcel of the possessions of the late monastery, should be and are a free borough, incorporated in deed, fact and name for ever, of two bailiffs and of burgesses and commonalty of the said town or borough of Tewkesbury, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester; and that the bailiffs, burgesses and commonalty of the same borough, for the time being, and their successors, be and should be one body corporate and politic, and one perpetual commonalty in deed and name, and should have perpetual succession, and them the said bailiffs and burgesses one body corporate and politic, really and to the full had created, erected, ordained, declared and incorporated, by the same letters patents, as by the same letters patents (amongst other things) may more fully appear.

And also reciting, that whereas the said James I. late king of England and so forth, by his letters patents, sealed with his great seal of England, bearing date at Westminster the eighteenth day of October in the year of his reign of England, France and Ireland the third, and of Scotland the thirty-ninth, (amongst other things,) had willed, granted, ordained, constituted and declared, that the borough of Tewkesbury aforesaid should be and remain for ever hereafter a free borough of itself; and that the bailiffs, burgesses and commonalty of the borough of Tewkesbury thereafter for ever be and should be one body corporate and politic, in deed, fact and name, by the name of the bailiffs, burgesses and commonalty of the borough of

Tewkesbury, in the county of Gloucester; and them by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, one body corporate and politic, really and to the full, for himself, his heirs and successors, had erected, made, ordained and created by his said letters patents; and that by the same name they should have perpetual succession, as by his said letters patents (amongst other things) in like manner more fully may appear.

And also reciting, that whereas his beloved and faithful subjects, the bailiffs, burgesses and commonalty of the borough of Tewkesbury aforesaid, in the said county of Gloucester, had purchased of him the said king for a great sum of money his whole manor and borough of Tewkesbury, in the county of Gloucester, and his divers messuages, lands, tenements and hereditaments in Tewkesbury, in the said county of Gloucester, late parcel of the possessions of the late monastery of Tewkesbury; and the manor of Tewkesbury, in the said county of Gloucester; and his hundred of Tewkesbury, in the said counties of Gloucester and Worcester, or in one of them; and divers messuages, lands, tenements and hereditaments there, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also the manor and borough of Tewkesbury, in the said county of Gloucester, and divers messuages, lands, tenements and hereditaments there, late parcel of the lands called Warwick's and Spenser's Lands; as well for and in consideration of the purchase aforesaid, as for divers other good causes and considerations him to the same presents especially moving, for the better rule, government and improvement of the borough of Tewkesbury aforesaid, of his special grace, and of his certain knowledge and mere motion, had willed, granted, constituted, ordained and declared, for himself, his heirs and successors, that the said manor and borough of Tewkesbury, in the county of Gloucester, and the other hereditaments aforesaid, late parcel of the lands of the late monastery of Tewkesbury, and the aforesaid manor of Tewkesbury, in the said county of Gloucester; and the aforesaid hundred and liberty of Tewkesbury, in the said counties of Gloucester and Worcester, or in one of them; and the other hereditaments aforesaid, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also the aforesaid manor and borough of Tewkesbury, in the said county of Gloucester, and other the hereditaments aforesaid, late parcel of the lands called Warwick's and Spenser's Lands, be and should be and reputed to be part and parcel of the incorporation of the town and borough of Tewkesbury aforementioned; and the aforesaid town of Tewkesbury, in the county of Gloucester, and all that fee called the Abbey Fee, in Tewkesbury aforesaid; and also all that manor and liberty of the late abbey or late dissolved monastery of Tewkesbury, called the Abbey Fee, parcel of the possessions of the late monastery; and all that manor and borough of Tewkesbury, parcel of the possessions of the late monastery; and all that manor of Tewkesbury, in the said county

of Gloucester; and all that hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, or in one of them, parcel of the lands of Thomas late Lord Seymour of Sudely attainted; also all that manor and borough of Tewkesbury, parcel of the lands called Warwick's and Spenser's Lands; and all other messuages, lands, tenements and hereditaments as aforesaid, of him purchased, to be one entire free borough corporate, in deed, fact and name, from thence for ever had ordained, created and incorporated, by his said letters patents; and also had given and granted to them the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, divers liberties, powers, privileges, authorities and other things, as by the said letters patents, bearing date the twenty-third day of March, in the seventh year of the reign of the said late King James I. more fully may appear.

And whereas the bailiffs, burgesses and commonalty of our borough of Tewkesbury aforesaid, have surrendered the charter or letters patents, bearing date the said twenty-third day of March, in the seventh year of the reign of the said late King James I. to them or their ancestors formerly granted; and all the liberties, privileges, emoluments and advantages, by the same charter or by any former or other charters or letters patents to them granted, to James II. late king of England, by their writing sealed with their common seal, bearing date the twenty-fourth day of March, in the first year of the reign of the said late King James II. and duly inrolled in our court of chancery.

And whereas the aforesaid James II. late king of England, by his letters patents, under his great seal of England made, bearing date the twelfth day of March, in the second year of his reign, did will, constitute and declare, that the said town of Tewkesbury, in the said county of Gloucester, and the other messuages, lands, tenements and hereditaments, in the same letters patents mentioned, be and should be a free borough of itself, and the burgesses and inhabitants of the same borough be and should be one body corporate and politic, in deed, fact and name, by the name of the mayor, aldermen and common council of the borough of Tewkesbury, in the county of Gloucester; and granted to them divers liberties, franchises, powers and other things.

And whereas no election of mayor, aldermen or persons of the common council of the borough aforesaid, or of any officer in or for the borough aforesaid, nor any government in the same borough, according to the form and effect of the same letters patents of James II. or of any other charter of incorporation of the borough aforesaid, for divers years last past have been had or executed, or is now executed, as we are informed; by reason of which, all acts of government and administration of justice in the same borough (as a body corporate) have totally ceased, and as yet do cease, to the great prejudice of our subjects inhabiting there.

And whereas the burgesses of the same borough have humbly besought us and our late most dear consort Mary, late queen of England and so forth, to grant to them our royal charter, and to restore and confirm to them such liberties and privileges as they had and enjoyed at the time of the surrender aforesaid : We therefore, being willing that from henceforth for ever there be had, in the borough aforesaid, a certain and undoubted manner of and for the keeping of the peace, and for the good rule and government of our people there, and others coming thither ; and that our peace in future times may be kept inviolated there, and that other acts of justice and good rule within the borough aforesaid may be rightly administered and executed, to the terror of the wicked, and reward of the good.

And we being also willing that the burgesses and inhabitants of the borough aforesaid, for ever hereafter may have and use the ancient liberties, franchises, privileges and pre-eminencies, from the burgesses and inhabitants of the borough aforesaid, before this used and enjoyed, together with our fuller grants for the better conservation of the peace in the borough aforesaid, and government and rule of our people there : Know ye, that we of our special grace, certain knowledge, and mere motion, have willed, granted, constituted, ordained and declared, and by these presents, for us, our heirs and successors, do will, grant, constitute, ordain and declare, that the said manor and borough of Tewkesbury, in the county of Gloucester, and the other hereditaments aforesaid, late parcel of the lands of the late monastery of Tewkesbury, and the aforesaid manor of Tewkesbury, in the said county of Gloucester, and the aforesaid hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, and in either of them, and the other hereditaments aforesaid, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted ; and also the aforesaid manor and borough of Tewkesbury, in the said county of Gloucester, and other the hereditaments aforesaid, late parcel of lands called Warwick's and Spenser's Lands, be and shall be and reputed to be part and parcel of the incorporation of the town and borough of Tewkesbury before-mentioned ; and the aforesaid town of Tewkesbury, in the county of Gloucester, and the whole fee called the Abbey Fee, in Tewkesbury aforesaid ; and also the whole manor and liberty of the late abbey or monastery of Tewkesbury lately dissolved, called the Abbey Fee, parcel of the possessions of the said late monastery ; and the whole manor and borough of Tewkesbury, part of the possessions of the said late monastery ; and the whole manor of Tewkesbury, in the said county of Gloucester ; and the whole hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, and in either of them, parcel of lands of Thomas late Lord Seymour of Sudely attainted ; and also all that manor and borough of Tewkesbury, parcel of lands called Warwick's and Spenser's Lands ; and all other messuages, lands, tenements and hereditaments as aforesaid purchased ; we do ordain, create and incor-

porate, by these presents, one entire free borough corporate, in fact, deed and name, henceforth for ever.

And that the burgesses and inhabitants of the same borough of Tewkesbury, for the future and for ever, are and shall be one body corporate and politic, in fact, deed and name, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester; and them by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, one body corporate and politic, really and fully, for us, our heirs and successors, we erect, make, ordain and create, by these presents; and that by the same name they may have a perpetual succession; and that they and their successors, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, may and shall be perpetually, for the future, persons fit and capable in the law to have, demand, receive and possess, lands, tenements, liberties, franchises, jurisdictions and hereditaments, to them and their successors, in fee and perpetuity, or for term of life or lives, year or years, or otherwise howsoever; and also goods and chattels, and all other things of whatsoever sort, nature, kind or quality they shall be; and to give, grant, demise and assign the same lands, tenements and hereditaments, goods and chattels, and other deeds and things whatsoever, or any parcel thereof; and all other things do and perform by the name aforesaid; and that by the same name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, they may and can plead and be impleaded, answer and be answered, defend and be defended, in all courts and places whatsoever, and before us, our heirs and successors, and all judges and justices, and other persons and officers whatsoever, of us, our heirs and successors, in all and singular actions, pleas, suits, complaints, causes, matters and demands whatsoever, of whatsoever sort, nature or kind, in the same manner and form as any other of our subjects of our kingdom of England, persons fit and capable in the law, or any other body corporate and politic, within this our kingdom of England, may and can have, receive, purchase, possess, give, grant, demise, assign or dispose, and plead and be impleaded, answer and be answered, defend and be defended, do or perform.

And we farther will, and by these presents, for us, our heirs and successors, do give, grant, restore and confirm to the said bailiffs, burgesses and commonalty of the borough of Tewkesbury aforesaid, and their successors, full power and authority to execute, enjoy and exercise, so many, so much, such, the same, of the same kind, all, all manner, and the like customs, liberties, privileges, franchises, immunities, acquittances, fines, amercements, exemption of gaols, merchandising, toll, custom, and all other rights and jurisdictions whatsoever, within the said town of Tewkesbury, in the county of Gloucester, and within the whole fee, called the Abbey Fee, in

Tewkesbury aforesaid, and within the whole manor and liberties of the late abbey or monastery of Tewkesbury lately dissolved, called the Abbey Fee, parcel of the possessions of the said late monastery; and within the whole manor and borough of Tewkesbury, parcel of the possessions of the said late monastery; and within the whole manor of Tewkesbury, in the said county of Gloucester; and the whole hundred and liberty of Tewkesbury, in the said counties of Gloucester and Worcester, and in either of them, parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also within the whole manor and borough of Tewkesbury, parcel of the lands called Warwick's and Spenser's Lands; and also within all and singular messuages, lands, tenements and hereditaments as aforesaid, before purchased, and within every and either of them, and part and parcel of each of them, as many, as much, such and which, the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, or their predecessors, or any of them, by whatsoever names, or by whatsoever name, or by whatsoever incorporation or pretence of any incorporation, (at or before the time of the surrender aforesaid,) lawfully had, possessed or enjoyed, or ought to have, possess, use or enjoy, within the borough, town, hundred, manor, tenements, liberties and places aforesaid.

And we farther will, and by these presents, for us, our heirs and successors, do give and grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and to their successors, free liberty, power and authority, and that it well may and shall be lawful for the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, to perambulate and make perambulation or perambulations thereof, and to erect and put bounds and limits there, or in the outward parts thereof, or any part of it, for to have true and better knowledge thereof, as often as it shall please them or shall seem necessary to them; and this without any writ or other warrant therefore from us, our heirs or successors, in this part howsoever to be requested or prosecuted.

We will also, and by these presents, for us, our heirs and successors, do grant and ordain, that from henceforth for the future, there are and shall be, in the borough aforesaid, two of the burgesses of the borough aforesaid, in manner below in these presents named, to be chosen and named, who shall be, and shall be nominated, bailiffs of the same borough; and for the better execution of our grant in this part, we have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, our beloved Joseph Jones and Henry Dobbins, gent. to be the first and modern bailiffs of the borough aforesaid; willing that they, the same Joseph Jones and Henry Dobbins, shall be and continue in the offices of bailiffs of the same borough, from the date of these presents, until and in the second Thursday in the month of October next to come, and from the same day until two other of the

burgesses of the borough aforesaid shall be elected, appointed and sworn to the office of bailiffs aforesaid, at the time, in the manner and form in these presents here under mentioned, if the same Joseph Jones and Henry Dobbins or either of them shall so long live.

And we will also, and by these presents, for us, our heirs and successors, do grant and ordain, that from henceforth for ever there may and shall be, in the borough aforesaid, four-and-twenty men, of the better, honester and more discreet burgesses of the same borough, who shall be and perpetually be called principal burgesses of the borough aforesaid; which principal burgesses, together with the bailiffs of the borough aforesaid, may and shall be, and for ever hereafter shall be called, the common council of the borough aforesaid, for all things, matters, causes and businesses of the borough aforesaid, and the good rule, state and government of the same borough touching or concerning; and they may and shall be from time to time assistant and helping to the said bailiffs, for that time being, in all things, matters, causes and businesses, relating to the same borough.

And we farther have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, our beloved Robert Tracy, esq. Richard Dowdeswell, esq. Henry Collet, jun. esq. Charles Wynde, the aforesaid Joseph Jones, Nicholas Steight, Theophilus Holland, William Steight, Henry Peyton, Nicholas Wrenford, William Wilson, John Mann, Abraham Farren, Samuel Hawling, Robert Porter, the aforesaid Henry Dobbins, William Jones, Francis Leight, John Jeynes, Thomas Warkeman, William Merret, Thomas Hale, merchant, Thomas Bartholomew, and Daniel Kemble, gent. to be the chief and modern four-and-twenty principal burgesses of the borough aforesaid, to be continued in the same offices and places as long as they shall behave themselves well; which indeed principal burgesses, and every of them before-named, and principal burgesses of the borough aforesaid, for the time being, for himself or themselves ill behaving, we will to be moveable at the good pleasure of the bailiffs and principal burgesses, being common council of the borough aforesaid, or the greater part of them, either of which bailiffs of the borough aforesaid, for the time being, we will to be one.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and to their successors, that whosoever it shall happen that either or any of the four-and-twenty principal burgesses of the borough aforesaid, for the time being, do die, or be removed from their office as aforesaid, that then and so often it may and shall be well and lawful for the aforesaid bailiffs and principal burgesses, being a common council of the borough aforesaid, or for the greater part of them, (of whom either of the bailiffs of the borough aforesaid for that time being we will to be one,) one other, or more of the burgesses of the borough aforesaid, into the place

The said Duke of Beaufort, Charles Hancock, John Mann, William Saunders, and John Peyton, and also Samuel Hawling, James Simpson, William Jennings, Charles Wynde, William Wilson, Thomas Bartholomew, William Jones, and George Moore, to be the first and modern common council.

The mayor or his deputy may summon courts of common council.

The majority of the common council, at chamber meetings, to have power to make orders respecting the government of the town.

The mayor, &c. to have power to put "pains, punishments and fines" upon such as offend against these orders.

A new mayor to be chosen annually from the common council, on the Thursday before the feast of St. Simon and St. Jude.

The new mayor to take an oath before his predecessor for the due execution of his office.

In case of the mayor's death or removal during his mayoralty, the common council may elect another from their body to be mayor.

In case of the death or removal of any of the aldermen or common councilmen, others to be elected in their places.

A coroner to be chosen.

The king appoints James Simpson, gent. to be the first coroner.

In case of the coroner's death or removal, the mayor, aldermen and common council may choose another during pleasure.

The coroner to have power within the borough, &c. and to take an oath.

The mayor or his deputy, the chief steward or his deputy, and the three aldermen or justices, or any three of them (the chief steward or his deputy being one) shall have power to enquire into offences, &c. and to hold sessions.

The county justices not to intermeddle within the town or parish of Tewkesbury, nor within the town or hamlet of Walton-Cardiff, nor within any other town, hamlet, or place, reputed within the parish of Tewkesbury, and the precincts of the same.

A court of record to be kept every Friday.

Power to arrest, and to hear and determine suits.

James Simpson, gent. to be common clerk of the said borough and clerk of the peace.

After his death, the mayor, &c. may choose another common clerk, &c.

One of the common council to be chosen chamberlain.

To take an oath, &c.

The chamberlain to receive and keep, for the use of the corporation, all rents, fines, &c.

The chamberlain to keep the records of the borough, and to account yearly at the feast of St. Simon and St. Jude.

The chamberlain or his executors to account.

William Jennings to be the first chamberlain.

The mayor, &c. after the surrender or death of William Jennings, to have power to choose another chamberlain.

The mayor, &c. may choose serjeants at mace, constables and other officers, and swear them.

In case of the death or removal of any of their officers, to choose new ones.

To fine or imprison such burgesses as refuse to serve offices.

The mayor or his deputy, and the king's clerk of the borough, may take recognizances.

The town-clerk to be clerk of the recognizances.

The mayor and common clerk to have a seal to seal recognizances, and full power in all things touching the same.

The mayor, in case of sickness or absence, to appoint a deputy.

To have the two usual weekly markets, on Wednesdays and Saturdays.

To keep five fairs yearly, as they used to do, viz. on the third of May, the feast of St. Barnabas, the feast of St. Bartholomew, Michaelmas Day, and Matthias's Day—the fairs to continue two days together, unless one of the days be the Lord's Day, and then on the Monday following: together with the court of *pie poudre*, and all liberties and free customs, tolls, stallage, piccage, fines, amercements, and all other profits and liberties to the said fairs or court of *pie poudre* belonging.

The mayor or his deputy to be clerk of the market.

The mayor to appoint a water bailiff.

The mayor, aldermen and common council, or the major part of them (the mayor being one) may tax the burgesses and inhabitants in any sum of money towards the necessary expenses of the borough and repair of common bridges, or for any other matters of the borough, or touching and concerning this charter and obtaining the same; and to levy such sums by distress, imprisonment, &c. and this charter to be sufficient warrant and discharge to the said mayor, &c.

To have a gaol, and the mayor to be the keeper of it.

To have all fines, &c. forfeited or imposed upon residents of the borough, &c. to be taken by the chamberlain.

To have also the goods of felons, fugitives, outlaws, &c. forfeited within the precincts of the borough, to be seized and taken by the chamberlain.

The mayor, &c. and all officers within the borough, to be exempt from serving upon juries out of the same, unless they have lands out of the precincts.

The mayor or his deputy to have the return and execution of all writs, &c. within the borough and precincts.

The mayor, aldermen and common council to elect and send two burgesses to parliament, who are to have their expenses borne at the charge of the said borough.

The king, by order in his privy council, may remove the mayor, chief steward, aldermen, justices, common councilmen, common clerk, clerk of the peace and chamberlain.

The mayor and aldermen before named to take an oath before James Simpson and Benjamin Hyett.

The mayor, &c. to give the same oath to the rest of the common council, &c.

The mayor, &c. to have power to make freemen, &c.

The burgesses to enjoy all their former privileges.

No foreigner to exercise any trade within the borough.

To punish drunkards, &c. and all scolds or malicious brawlers.

To purchase lands, &c. so that they do not exceed the clear yearly value of £.200; and to dispose of the same at their pleasure, notwithstanding any statute to the contrary.

The burgesses to be free from payment of all manner of tolls, &c. in all places, in as large a manner as by the charter of King Edward the third, and by other charters, hath been granted to the burgesses of the said town of Tewkesbury.

A confirmation of all their former liberties, &c. and of all their lands, &c.

To hold their liberties, &c. free from trouble, and no *quo warrantis* to be brought against them, &c.

To have a free grammar school, to be called "the free grammar school of William Ferrers, citizen and mercer of London," &c.

To be one chief master or teacher, and an undermaster or usher, to instruct the scholars in the same school.

The mayor, &c. to be governors of the said school.

The governors to have a common seal.

May purchase lands, &c. for maintaining the school.

May plead by that name.

The governors to choose a master and usher, to continue in office during the pleasure of the said governors.

In case of the master or usher's death or removal, to choose a successor.

The major part of the governors may make orders for governing the school, &c.

May purchase lands not exceeding £.50 per annum.

Any person may give lands not exceeding that value.

All things in this charter to be firm and valid in law, &c.

Dated at Westminster, the 12th of March, in the 2d year of the reign of King James the second.

No. 29.

[Chapter 15.—Page 210.]

Present Charter of the Borough, granted by King William III.

13th July, 1688.

WILLIAM III. by the Grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, and so forth. To all to whom these letters patents shall come, greeting.

Whereas our great grandfather, James I. late king of England, &c. by his letters patents under his great seal of England, bearing date the twenty-third day of March, in the year of his reign of England, France and Ireland the seventh, reciting, that whereas our sovereign Lady Elizabeth, late queen of England, by her letters patents, sealed with her great seal of England, bearing date at Gorhambury the fourth day of April, in the seventeenth year of her reign, (amongst other things,) had willed, ordained, constituted, granted and declared, that the town of Tewkesbury, in the county of Gloucester, and the whole fee called the Abbey Fee in Tewkesbury aforesaid, and also the whole manor and liberty of the late abbey or late dissolved monastery of Tewkesbury, called the Abbey Fee, parcel of the possessions of the late monastery, should be and are a free borough, incorporated in deed, fact and name for ever, of two bailiffs and of burgesses and commonalty of the said town or borough of Tewkesbury, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester; and that the bailiffs, burgesses and commonalty of the same borough, for the time being, and their successors, be and should be one body corporate and politic, and one perpetual commonalty in deed and name, and should have perpetual succession, and them the said bailiffs and burgesses one body corporate and politic, really and to the full had created, erected, ordained, declared and incorporated, by the same letters patents, as by the same letters patents (amongst other things) may more fully appear.

And also reciting, that whereas the said James I. late king of England and so forth, by his letters patents, sealed with his great seal of England, bearing date at Westminster the eighteenth day of October in the year of his reign of England, France and Ireland the third, and of Scotland the thirty-ninth, (amongst other things,) had willed, granted, ordained, constituted and declared, that the borough of Tewkesbury aforesaid should be and remain for ever hereafter a free borough of itself; and that the bailiffs, burgesses and commonalty of the borough of Tewkesbury thereafter for ever be and should be one body corporate and politic, in deed, fact and name, by the name of the bailiffs, burgesses and commonalty of the borough of

Tewkesbury, in the county of Gloucester; and them by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, one body corporate and politic, really and to the full, for himself, his heirs and successors, had erected, made, ordained and created by his said letters patents; and that by the same name they should have perpetual succession, as by his said letters patents (amongst other things) in like manner more fully may appear.

And also reciting, that whereas his beloved and faithful subjects, the bailiffs, burgesses and commonalty of the borough of Tewkesbury aforesaid, in the said county of Gloucester, had purchased of him the said king for a great sum of money his whole manor and borough of Tewkesbury, in the county of Gloucester, and his divers messuages, lands, tenements and hereditaments in Tewkesbury, in the said county of Gloucester, late parcel of the possessions of the late monastery of Tewkesbury; and the manor of Tewkesbury, in the said county of Gloucester; and his hundred of Tewkesbury, in the said counties of Gloucester and Worcester, or in one of them; and divers messuages, lands, tenements and hereditaments there, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also the manor and borough of Tewkesbury, in the said county of Gloucester, and divers messuages, lands, tenements and hereditaments there, late parcel of the lands called Warwick's and Spenser's Lands; as well for and in consideration of the purchase aforesaid, as for divers other good causes and considerations him to the same presents especially moving, for the better rule, government and improvement of the borough of Tewkesbury aforesaid, of his special grace, and of his certain knowledge and mere motion, had willed, granted, constituted, ordained and declared, for himself, his heirs and successors, that the said manor and borough of Tewkesbury, in the county of Gloucester, and the other hereditaments aforesaid, late parcel of the lands of the late monastery of Tewkesbury, and the aforesaid manor of Tewkesbury, in the said county of Gloucester; and the aforesaid hundred and liberty of Tewkesbury, in the said counties of Gloucester and Worcester, or in one of them; and the other hereditaments aforesaid, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also the aforesaid manor and borough of Tewkesbury, in the said county of Gloucester, and other the hereditaments aforesaid, late parcel of the lands called Warwick's and Spenser's Lands, be and should be and reputed to be part and parcel of the incorporation of the town and borough of Tewkesbury aforementioned; and the aforesaid town of Tewkesbury, in the county of Gloucester, and all that fee called the Abbey Fee, in Tewkesbury aforesaid; and also all that manor and liberty of the late abbey or late dissolved monastery of Tewkesbury, called the Abbey Fee, parcel of the possessions of the late monastery; and all that manor and borough of Tewkesbury, parcel of the possessions of the late monastery; and all that manor of Tewkesbury, in the said county

of Gloucester; and all that hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, or in one of them, parcel of the lands of Thomas late Lord Seymour of Sudely attainted; also all that manor and borough of Tewkesbury, parcel of the lands called Warwick's and Spenser's Lands; and all other messuages, lands, tenements and hereditaments as aforesaid, of him purchased, to be one entire free borough corporate, in deed, fact and name, from thence for ever had ordained, created and incorporated, by his said letters patents; and also had given and granted to them the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, divers liberties, powers, privileges, authorities and other things, as by the said letters patents, bearing date the twenty-third day of March, in the seventh year of the reign of the said late King James I. more fully may appear.

And whereas the bailiffs, burgesses and commonalty of our borough of Tewkesbury aforesaid, have surrendered the charter or letters patents, bearing date the said twenty-third day of March, in the seventh year of the reign of the said late King James I. to them or their ancestors formerly granted; and all the liberties, privileges, emoluments and advantages, by the same charter or by any former or other charters or letters patents to them granted, to James II. late king of England, by their writing sealed with their common seal, bearing date the twenty-fourth day of March, in the first year of the reign of the said late King James II. and duly inrolled in our court of chancery.

And whereas the aforesaid James II. late king of England, by his letters patents, under his great seal of England made, bearing date the twelfth day of March, in the second year of his reign, did will, constitute and declare, that the said town of Tewkesbury, in the said county of Gloucester, and the other messuages, lands, tenements and hereditaments, in the same letters patents mentioned, be and should be a free borough of itself, and the burgesses and inhabitants of the same borough be and should be one body corporate and politic, in deed, fact and name, by the name of the mayor, aldermen and common council of the borough of Tewkesbury, in the county of Gloucester; and granted to them divers liberties, franchises, powers and other things.

And whereas no election of mayor, aldermen or persons of the common council of the borough aforesaid, or of any officer in or for the borough aforesaid, nor any government in the same borough, according to the form and effect of the same letters patents of James II. or of any other charter of incorporation of the borough aforesaid, for divers years last past have been had or executed, or is now executed, as we are informed; by reason of which, all acts of government and administration of justice in the same borough (as a body corporate) have totally ceased, and as yet do cease, to the great prejudice of our subjects inhabiting there.

And whereas the burgesses of the same borough have humbly besought us and our late most dear consort Mary, late queen of England and so forth, to grant to them our royal charter, and to restore and confirm to them such liberties and privileges as they had and enjoyed at the time of the surrender aforesaid: We therefore, being willing that from henceforth for ever there be had, in the borough aforesaid, a certain and undoubted manner of and for the keeping of the peace, and for the good rule and government of our people there, and others coming thither; and that our peace in future times may be kept inviolated there, and that other acts of justice and good rule within the borough aforesaid may be rightly administered and executed, to the terror of the wicked, and reward of the good.

And we being also willing that the burgesses and inhabitants of the borough aforesaid, for ever hereafter may have and use the ancient liberties, franchises, privileges and pre-eminencies, from the burgesses and inhabitants of the borough aforesaid, before this used and enjoyed, together with our fuller grants for the better conservation of the peace in the borough aforesaid, and government and rule of our people there: Know ye, that we of our special grace, certain knowledge, and mere motion, have willed, granted, constituted, ordained and declared, and by these presents, for us, our heirs and successors, do will, grant, constitute, ordain and declare, that the said manor and borough of Tewkesbury, in the county of Gloucester, and the other hereditaments aforesaid, late parcel of the lands of the late monastery of Tewkesbury, and the aforesaid manor of Tewkesbury, in the said county of Gloucester, and the aforesaid hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, and in either of them, and the other hereditaments aforesaid, late parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also the aforesaid manor and borough of Tewkesbury, in the said county of Gloucester, and other the hereditaments aforesaid, late parcel of lands called Warwick's and Spenser's Lands, be and shall be and reputed to be part and parcel of the incorporation of the town and borough of Tewkesbury before-mentioned; and the aforesaid town of Tewkesbury, in the county of Gloucester, and the whole fee called the Abbey Fee, in Tewkesbury aforesaid; and also the whole manor and liberty of the late abbey or monastery of Tewkesbury lately dissolved, called the Abbey Fee, parcel of the possessions of the said late monastery; and the whole manor and borough of Tewkesbury, part of the possessions of the said late monastery; and the whole manor of Tewkesbury, in the said county of Gloucester; and the whole hundred and liberty of Tewkesbury, in the counties of Gloucester and Worcester, and in either of them, parcel of lands of Thomas late Lord Seymour of Sudely attainted; and also all that manor and borough of Tewkesbury, parcel of lands called Warwick's and Spenser's Lands; and all other messuages, lands, tenements and hereditaments as aforesaid purchased; we do ordain, create and incor-

porate, by these presents, one entire free borough corporate, in fact, deed and name, henceforth for ever.

And that the burgesses and inhabitants of the same borough of Tewkesbury, for the future and for ever, are and shall be one body corporate and politic, in fact, deed and name, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester; and them by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, one body corporate and politic, really and fully, for us, our heirs and successors, we erect, make, ordain and create, by these presents; and that by the same name they may have a perpetual succession; and that they and their successors, by the name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, may and shall be perpetually, for the future, persons fit and capable in the law to have, demand, receive and possess, lands, tenements, liberties, franchises, jurisdictions and hereditaments, to them and their successors, in fee and perpetuity, or for term of life or lives, year or years, or otherwise howsoever; and also goods and chattels, and all other things of whatsoever sort, nature, kind or quality they shall be; and to give, grant, demise and assign the same lands, tenements and hereditaments, goods and chattels, and other deeds and things whatsoever, or any parcel thereof; and all other things do and perform by the name aforesaid; and that by the same name of the bailiffs, burgesses and commonalty of the borough of Tewkesbury, in the county of Gloucester, they may and can plead and be impleaded, answer and be answered, defend and be defended, in all courts and places whatsoever, and before us, our heirs and successors, and all judges and justices, and other persons and officers whatsoever, of us, our heirs and successors, in all and singular actions, pleas, suits, complaints, causes, matters and demands whatsoever, of whatsoever sort, nature or kind, in the same manner and form as any other of our subjects of our kingdom of England, persons fit and capable in the law, or any other body corporate and politic, within this our kingdom of England, may and can have, receive, purchase, possess, give, grant, demise, assign or dispose, and plead and be impleaded, answer and be answered, defend and be defended, do or perform.

And we farther will, and by these presents, for us, our heirs and successors, do give, grant, restore and confirm to the said bailiffs, burgesses and commonalty of the borough of Tewkesbury aforesaid, and their successors, full power and authority to execute, enjoy and exercise, so many, so much, such, the same, of the same kind, all, all manner, and the like customs, liberties, privileges, franchises, immunities, acquittances, fines, amercements, exemption of gnaols, merchandising, toll, custom, and all other rights and jurisdictions whatsoever, within the said town of Tewkesbury, in the county of Gloucester, and within the whole fee, called the Abbey Fee, in

Tewkesbury aforesaid, and within the whole manor and liberties of the late abbey or monastery of Tewkesbury lately dissolved, called the Abbey Fee, parcel of the possessions of the said late monastery; and within the whole manor and borough of Tewkesbury, parcel of the possessions of the said late monastery; and within the whole manor of Tewkesbury, in the said county of Gloucester; and the whole hundred and liberty of Tewkesbury, in the said counties of Gloucester and Worcester, and in either of them, parcel of the lands of Thomas late Lord Seymour of Sudely attainted; and also within the whole manor and borough of Tewkesbury, parcel of the lands called Warwick's and Spenser's Lands; and also within all and singular messuages, lands, tenements and hereditaments as aforesaid, before purchased, and within every and either of them, and part and parcel of each of them, as many, as much, such and which, the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, or their predecessors, or any of them, by whatsoever names, or by whatsoever name, or by whatsoever incorporation or pretence of any incorporation, (at or before the time of the surrender aforesaid,) lawfully had, possessed or enjoyed, or ought to have, possess, use or enjoy, within the borough, town, hundred, manor, tenements, liberties and places aforesaid.

And we farther will, and by these presents, for us, our heirs and successors, do give and grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and to their successors, free liberty, power and authority, and that it well may and shall be lawful for the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, to perambulate and make perambulation or perambulations thereof, and to erect and put bounds and limits there, or in the outward parts thereof, or any part of it, for to have true and better knowledge thereof, as often as it shall please them or shall seem necessary to them; and this without any writ or other warrant therefore from us, our heirs or successors, in this part howsoever to be requested or prosecuted.

We will also, and by these presents, for us, our heirs and successors, do grant and ordain, that from henceforth for the future, there are and shall be, in the borough aforesaid, two of the burgesses of the borough aforesaid, in manner below in these presents named, to be chosen and named, who shall be, and shall be nominated, bailiffs of the same borough; and for the better execution of our grant in this part, we have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, our beloved Joseph Jones and Henry Dobbins, gent. to be the first and modern bailiffs of the borough aforesaid; willing that they, the same Joseph Jones and Henry Dobbins, shall be and continue in the offices of bailiffs of the same borough, from the date of these presents, until and in the second Thursday in the month of October next to come, and from the same day until two other of the

burgesses of the borough aforesaid shall be elected, appointed and sworn to the office of bailiffs aforesaid, at the time, in the manner and form in these presents here under mentioned, if the same Joseph Jones and Henry Dobbins or either of them shall so long live.

And we will also, and by these presents, for us, our heirs and successors, do grant and ordain, that from henceforth for ever there may and shall be, in the borough aforesaid, four-and-twenty men, of the better, honester and more discreet burgesses of the same borough, who shall be and perpetually be called principal burgesses of the borough aforesaid; which principal burgesses, together with the bailiffs of the borough aforesaid, may and shall be, and for ever hereafter shall be called, the common council of the borough aforesaid, for all things, matters, causes and businesses of the borough aforesaid, and the good rule, state and government of the same borough touching or concerning; and they may and shall be from time to time assistant and helping to the said bailiffs, for that time being, in all things, matters, causes and businesses, relating to the same borough.

And we farther have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, our beloved Robert Tracy, esq. Richard Dowdeswell, esq. Henry Collet, jun. esq. Charles Wynde, the aforesaid Joseph Jones, Nicholas Steight, Theophilus Holland, William Steight, Henry Peyton, Nicholas Wrenford, William Wilson, John Mann, Abraham Farren, Samuel Hawling, Robert Porter, the aforesaid Henry Dobbins, William Jones, Francis Leight, John Jeynes, Thomas Warkeman, William Merret, Thomas Hale, merchant, Thomas Bartholomew, and Daniel Kemble, gent. to be the chief and modern four-and-twenty principal burgesses of the borough aforesaid, to be continued in the same offices and places as long as they shall behave themselves well; which indeed principal burgesses, and every of them before-named, and principal burgesses of the borough aforesaid, for the time being, for himself or themselves ill behaving, we will to be moveable at the good pleasure of the bailiffs and principal burgesses, being common council of the borough aforesaid, or the greater part of them, either of which bailiffs of the borough aforesaid, for the time being, we will to be one.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and to their successors, that whensoever it shall happen that either or any of the four-and-twenty principal burgesses of the borough aforesaid, for the time being, do die, or be removed from their office as aforesaid, that then and so often it may and shall be well and lawful for the aforesaid bailiffs and principal burgesses, being a common council of the borough aforesaid, or for the greater part of them, (of whom either of the bailiffs of the borough aforesaid for that time being we will to be one,) one other, or more of the burgesses of the borough aforesaid, into the place

or places of a principal burgess, or those principal burgesses, so dead, or removed from his or their office or offices, to elect, nominate and appoint, to supply the aforesaid number of four-and-twenty principal burgesses of the borough aforesaid; and that he or they, so elected and appointed as aforesaid, may have and exercise that office or offices, so long as he or they shall behave himself or themselves well in the same office or offices, a corporal oath before the bailiffs and principal burgesses, being common council of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid we will to be one,) of that office, in all things touching that office, rightly, well and faithfully to execute, being first performed.

And farther, of our more abundant special grace, certain knowledge and mere motion, have willed, ordained and granted, and by these presents, for us, our heirs and successors, do will, ordain and grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that from henceforth for ever there be and shall be, within the borough aforesaid, four-and-twenty other men, honest and discreet, of the same borough, who shall be and be named assistants of the same borough; which indeed four-and-twenty assistants may and shall be, from time to time, assisting and helping to the bailiffs of the borough aforesaid, for the time being, and to the aforesaid four-and-twenty principal burgesses, for the good rule, state and government of the borough aforesaid, in all things, causes, matters and businesses, touching the same borough.

And we have assigned, nominated, created, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, create, appoint and make, our beloved Joseph Sheene, Stephen Millington, Isaac Merret, Robert Wilkins, John Reeks, Robert Morris, George Moore, William Hayward, Edward Leight, John Farren, Ralph Jeynes of the Barton-street, Matthew Maid, Thomas Nutt, Edward Phelps, Samuel Dobbins, Ralph Jeynes of the High-street, Philip Brush, George Waters alias Hawkins, Richard Pitt, Joseph Smith, John Clifton, John Chaundler, Edward Pierce and Samuel Penell, to be four-and-twenty chief and modern assistants of the borough aforesaid, to be continued in the same offices so long as they shall behave themselves well; which very assistants before named, and either or any of them, and the assistants of the borough aforesaid for the time being, and either or any of them, not behaving himself or themselves well in their offices, we will to be moveable at the good pleasure of the bailiffs and principal burgesses, being common council of the borough aforesaid, or the greater part of them, of whom either of the bailiffs of the borough aforesaid for the time being we will to be one.

And we farther will, and for us, our heirs and successors, do give and grant to the said bailiffs, burgesses and commonalty of the borough aforesaid, and to their successors, that whensoever it shall happen that either or

any of the aforesaid four-and-twenty assistants of the borough aforesaid do die, or are removed from his or their office as aforesaid, that then and so often it may and shall be well and lawful for the said bailiffs, and the rest of the common council of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) one other or more of the burgesses of the borough aforesaid, into the place or places of the same assistant or assistants (so happening to die or be removed) to elect, nominate and appoint, to supply the aforesaid number of four-and-twenty assistants of the borough aforesaid; and that he or they, so as aforesaid elected and appointed to the office or offices of an assistant or assistants of the borough aforesaid, having performed, before the bailiffs and the rest of the common council of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) a corporal oath, well and faithfully to execute that office, he and they shall be of the number of the aforesaid four-and-twenty assistants of the borough aforesaid; and this from time to time, as often as it shall so happen.

And we farther will, and by these presents, for, us, our heirs and successors, do grant to the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that from henceforth for the future the bailiffs and burgesses aforesaid shall be elected, nominated and sworn yearly, and every year, in and upon the second Thursday in the month of October, and not upon the Thursday next after the feast of St. Simon and St. Jude Apostles, by and before such person and persons, and in the same manner and form as was wont to be in the same borough at and before the time of the surrender aforesaid; and that they who shall be elected, nominated and sworn as aforesaid, to the office of bailiffs of the borough aforesaid, may have and exercise that office for one whole year then next following, and thenceforth until two other burgesses of the borough aforesaid to the offices of bailiffs of the borough aforesaid shall be elected, appointed and sworn, in due manner.

And moreover we will, and for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that if it shall happen that the bailiffs of the borough aforesaid, or either of them, for the time being, within one year after they shall be elected, appointed and sworn to the offices of bailiffs of the borough aforesaid, so as aforesaid, do die or be removed from his or their office or offices, that then and so often, one other fit person or two other fit persons shall be elected, appointed and sworn into the bailiwick or bailiwicks of the borough of Tewkesbury aforesaid, by and before such person and persons, and in such manner and form as was wont in the same borough at and before the time of the surrender aforesaid; and that he or they, so elected and sworn

may have and execute that office or offices during the residue of the same year, and so often as it shall so happen.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that they and their successors may and shall have, in the borough aforesaid, one honest and discreet man, to be chosen and nominated in form beneath in these presents expressed, who shall be and be named high steward of the borough aforesaid; and we have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, our well-beloved and faithful kinsman, Algernon Earl of Essex, to be the first and modern high steward of the borough aforesaid, to be continued in the same office so long as he shall behave himself well.

We also will, and by these presents, for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that from and after the death of the said Algernon Earl of Essex, or any other determination of his office, the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid we will to be one,) may and can elect, nominate and appoint, one other honest and discreet man, from time to time, to the office of high steward of the borough aforesaid; and that he who shall be elected, appointed and nominated so as aforesaid, after the death of the said Algernon Earl of Essex, or any other determination of the said office of high steward, shall and may execute and enjoy that office of high steward of the borough aforesaid, during the good pleasure of the aforesaid bailiffs and principal burgesses of the borough aforesaid, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid we will to be one,) and so as often as it shall so happen.

We will also, and for us, our heirs and successors, do grant to the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that they from henceforth for ever may have, in the borough aforesaid, one honest, fit and discreet man, skilful and learned in the laws of this kingdom of England, who shall be and be named recorder of that borough, to be continued in that office, and to execute the same by himself, or his deputy, so long as he shall behave himself well; and we have assigned, nominated, appointed and made, and by these presents, for us, our heirs and successors, do assign, nominate, appoint and make, the aforesaid Robert Tracy to be chief and modern recorder of the borough aforesaid, to be continued in the same office, and the same office to execute, by himself or his sufficient deputy, so long as he shall behave himself well.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough

aforesaid, and their successors, that after the death or removal of the said Robert Tracy from the office aforesaid, and so often as the office of recorder of the borough aforesaid shall happen to be vacant, it may and shall be lawful for the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid we will to be one,) to elect, name and prefer one other honest and discreet man, learned in the laws of this kingdom of England, into the office of recorder of the borough aforesaid, to be continued in the same office so long as he shall behave himself well; which said Robert Tracy, and all other persons who for the future shall be elected, nominated and appointed, so as aforesaid, into the office of recorder of the borough aforesaid, before he shall be permitted to execute that office, shall take a corporal oath before the bailiffs of the borough aforesaid, for the time being, or either of them, to rightly, well and faithfully execute that office, in all businesses touching or concerning it.

And we farther, of our more abundant special grace, certain knowledge and mere motion, have willed and granted, and by these presents, for us, our heirs and successors, do will and grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs and recorder of the borough aforesaid, for the time being, during the time in which they shall happen to be in their offices, and four other of the honestest and more discreet burgesses of the borough aforesaid, to be chosen and nominated by the bailiffs and principal burgesses of the borough aforesaid, or by the greater part of them, (of whom either of the bailiffs of the borough aforesaid we will to be one,) may and shall be, and every of them may and shall be, our justices, and our heirs and successors, to keep the peace, and to keep and cause to be kept the orders and statutes set forth for the good of the peace of us, our heirs and successors, and for the keeping of the same, and for the good and quiet rule and government of our people, our heirs and successors, and in all their articles in the borough, and liberty and precincts, by these presents to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, before granted, according to the statute, form and effect of the same; and to chastise and punish all offending against the force, form and effect, of the same orders and statutes, or either of them, as shall be to be done according to the form of the same orders and statutes; and to cause to come before them, or either of them, all those who have threatened either or any of our people concerning their bodies or burning of their houses, to find sufficient security of the peace, or their good behaviour towards us and our people; and if they shall refuse to find such security, then them to cause to be kept safe in our prison in the borough aforesaid, until they shall find such security; and to hear and determine all and all manner of felonies and other misdeeds, in the said borough, and liberty and precinct of the same, before-mentioned, committed and to be

committed, and to keep and correct, and cause to be kept and corrected, the statutes concerning artificers, labourers, weights and measures, within the borough aforesaid, and liberty and precinct of the same.

And that the said bailiffs and principal burgesses, or the greater part of them, within one month after the date of these presents, shall choose four such burgesses as aforesaid to be justices of the peace; which said four burgesses shall continue in the offices of justices of the peace, within the borough aforesaid, until and upon the second Thursday in the month of October next to come; and that in and upon the aforesaid second Thursday of October next to come, and upon every second Thursday in the month of October for ever, four such burgesses of the borough aforesaid shall be yearly chosen, as aforesaid, to be justices of the peace, as aforesaid, within the borough aforesaid; and that the bailiffs and recorders of the same borough, for the time being, and four other burgesses to be elected and nominated so as aforesaid in the offices of justices of the peace, or any three of them, (of whom either of the bailiffs or recorders of the borough aforesaid we will to be one,) may have full power and absolute authority to inquire, from time to time, by the oath of honest and lawful men of the borough aforesaid, liberty and precinct of the same, concerning all and all manner of petty treasons, murders, voluntary manslaughter, manslaughters, felonies, witchcrafts, incantations, sorceries, magic art, forestallings, ingrossings, regratings and extortions whatsoever, and concerning all and singular other witchcrafts, transgressions, faults and offences whatsoever, of which the justices appointed to keep the peace in any county of our kingdom of England may or ought lawfully to inquire; and that they may or shall hear and determine all and singular felonies, offences, transgressions, crimes and articles whatsoever, that belong to the office of a justice of the peace within the borough aforesaid, liberty and precinct of the same, to be done, heard, performed and determined, so fully and wholly, and in so ample a manner and form, as any other justices appointed to keep the peace in any county of our kingdom of England, by the laws and statutes of the same kingdom of England, or otherwise; and that they, or any three of them, may and can, from time to time, keep sessions, in the same manner and form as any other justices, appointed to keep the peace in any county of our kingdom of England, may and can; so, nevertheless, that at the determination of any treason, murder, manslaughter, felony, or other offence whatsoever, touching the loss of life or a member, within the borough aforesaid, liberty and precinct of the same, without our special mandate of us, our heirs and successors, howsoever for the future they may not proceed.

We will also, and for us, our heirs and successors, do command and forbid, by these presents, that no justice of the peace, within the county of Gloucester, do any ways introduce himself to do or execute any thing within the town or parish of Tewkesbury, and precinct of the same, that belongs to the office of a justice of the peace there to be done.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that they, and their successors, henceforth for ever, may have and hold, within the borough aforesaid, a certain court of record before the bailiffs of the same borough for the time being, in a certain house called the Tolzey, or other convenient place in the same borough, upon Friday in every week yearly to be kept; in which court they shall keep the pleas of all and all manner of debts, trespasses and personal actions, proceeding from within the liberty of the borough aforesaid, so that they do not exceed the sum of fifty pounds of lawful money of England, nor touching a free tenement within the liberties of the borough aforesaid, by complaints thereof before the bailiffs aforesaid, to be levied, made and entered; and that the same bailiffs, burgesses and commonalty, and their successors, upon the like sort of complaints, pleas, quarrels and actions, may have power, authority and faculty, to implead defendants against whom the like complaints, pleas or actions, in the said court shall happen to be levied or removed, by an attachment of their bodies to be directed to the sergeants at mace of the borough aforesaid, or other officer or officers, or any of them, to be appointed or assigned by the bailiffs aforesaid, or either of them, for the time being.

And that the like pleas, complaints, suits and actions, may be there heard and determined before the bailiffs of the said borough for the time being, or either of them, together with the recorder of the borough aforesaid, or his sufficient deputy for the time being, by such and the like processes and means, according to the laws and customs of this our kingdom of England, by their peers, and as is agreeable to our laws, and in as ample manner and form as is or ought to be used and accustomed in any court of record in any city, borough, or town incorporate, within our kingdom of England. Provided always, and it is our good pleasure, and for us, our heirs and successors, we do will and forbid, that no attachment or other process be directed to the sergeants at mace of the borough aforesaid, or shall be executed or served by the same in any place, unless within the town and parish of Tewkesbury aforesaid, and precinct of the same town.

And we farther will, and for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that there may and shall be perpetually, in the borough aforesaid, one honest and discreet man, to be chosen in form in these presents mentioned, who shall be and be nominated common clerk of the borough aforesaid, and clerk of our peace within the borough aforesaid, to be continued in the same office so long as he shall behave himself well. And we have farther appointed, nominated and constituted, and by these presents, for us, our heirs and successors, do appoint, nominate and constitute the aforesaid Henry Collet, jun. to be the first and modern common clerk of

the borough aforesaid, and clerk of our peace within the borough aforesaid, so long as he shall behave himself well, and to do and execute all things which respectively belong to the office of common clerk and clerk of the peace within the borough aforesaid.

And we also will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that from henceforth for the future there be and shall be, within the borough, liberty and precinct of the same, one honest and discreet man, to be chosen in form in these presents, who shall be and be called coroner of the borough aforesaid, who shall have full power and authority to do and execute all and singular those acts and things whatsoever, within the borough aforesaid, and precinct of the same, which tend and belong to the office of a coroner within the borough aforesaid to be done and executed. And we have appointed, nominated and constituted, and by these presents do appoint, nominate and constitute, the aforesaid Henry Collet to be the first and modern coroner of the borough aforesaid, to be continued in the same office during the good pleasure of the bailiffs and principal burgesses of the borough aforesaid, or the greater part of them, (of whom either of the bailiffs we will to be one.) And we farther will, that after the death or removal of the aforesaid Henry Collet from the office of coroner aforesaid, then and thenceforth it may and shall be well and lawful for the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them who shall be then present, (of whom either of the bailiffs of the borough aforesaid we will to be one,) at their pleasure from time to time to elect, nominate and appoint, one other honest and discreet man of the burgesses of the borough aforesaid into the office of coroner of the borough aforesaid, to be continued in the same office during the good pleasure of the aforesaid bailiffs and principal burgesses of the borough aforesaid, or the greater part of them, (of whom either of the bailiffs we will to be one,) a corporal oath being first taken before the bailiffs of the borough aforesaid, or either of them, to rightly, well and faithfully perform that office in all things touching or concerning that office.

We farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) may and shall from time to time elect, constitute and create, one of the burgesses of the borough aforesaid to have, exercise and execute, the office of chamberlain of the borough aforesaid, so long as it shall seem fit to the aforesaid bailiffs and principal burgesses of the borough aforesaid, or the greater part of them, (of whom either of the bailiffs of the borough

aforesaid for the time being we will to be one,) or until the aforesaid chamberlain shall leave the said office of his own accord, or die; and that every burgess of that borough, elected, chosen and created, chamberlain of the borough aforesaid, or to be elected, chosen or created, shall take a corporal oath, in due manner, to do and faithfully execute all those things which belong to the office of chamberlain of the borough aforesaid. And that the chamberlain of the borough aforesaid, for the time being, shall and may receive all manner of rents, fines, amercements, revenues, profits, commodities and emoluments whatsoever, to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, by right of any corporation, or howsoever belonging, appertaining, incurred, due or payable, and keep the same in his power, to and for the use of the bailiffs, burgesses and commonalty of the borough aforesaid, and expend and disburse the same, from time to time, at their command and request. And the aforesaid chamberlain of the borough aforesaid, for the time being, shall keep all and singular writings, deeds, evidences and muniments whatsoever, to the said bailiffs, burgesses and commonalty of the borough aforesaid, for the time being, belonging, or in any wise appertaining; and shall keep the seal as well of the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, as of the master of the school beneath written, in the chamber of the borough aforesaid; and shall cause to come the same writings and muniments, and seal, before the aforesaid bailiffs and principal burgesses, or either of them, as often and whosoever by them they shall be commanded, that they may look into them, and duly determine and dispose or use them; and let him perpetually give a true and just yearly account, at every feast of Saint James the Apostle, or within fifteen days next following the same feast, to the said bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, of all things by him so received or levied, kept or had; and let him execute and do all those things as in times past were used and accustomed by the chamberlain aforesaid. And also that every chamberlain of the borough aforesaid, for the time being, who shall happen to be removed from his office, or shall leave his office aforesaid of his own accord, and the heirs, executors and administrators of such who shall die, having the office of chamberlain aforesaid, within one month next after the death or removal, or voluntary leaving of his office aforesaid, may give a true and faithful account of all things in his office, by virtue of said office by him accepted, had or done, to the bailiffs and principal burgesses of that borough, or so many of them as will be them when it shall be required of him. And for the better execution of our will and grant in this part, we have appointed, created, nominated, constituted and made, and by those presents, for us, our heirs and successors, do appoint, create, nominate, constitute and make, the aforesaid William Wilson to be the first and modern chamberlain of that borough, to be continued in the

office aforesaid so long as he shall behave himself well. And that, from time to time, and at all times, after the death, surrender or other determination of the office aforesaid, at the good pleasure and will of the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) the aforesaid bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, as aforesaid, may elect, nominate and appoint, one other discreet man of the burgesses of the borough, for the time being, from time to time, to be chamberlain of the borough aforesaid; and that he who shall be elected, appointed and nominated, to be chamberlain of the borough aforesaid, so as aforesaid, after the death, surrender or other determination of the aforesaid office, may have, enjoy and exercise that office of chamberlain of the borough aforesaid, during the good pleasure of the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) a corporal oath being first taken before the bailiffs and principal burgesses of the borough aforesaid, or so many of them as will be there, (of whom either of the bailiffs for the time being we will to be one,) to execute that office of chamberlain of the borough aforesaid, rightly, well and faithfully, in and by all things touching that office; and so often as it shall so happen.

And farther, of our more abundant special grace, certain knowledge and mere motion, by these presents, for us, our heirs and successors, we do will and grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs of the borough aforesaid, for the time being, together with our clerk, our heirs and successors, of the same borough assigned to receive recognizances of debts, may for ever have full power and authority to receive recognizances, by virtue of the statute of Acton Burnell, between merchant and merchant, merchants and merchants, and between every and all other person and persons whatsoever, or either of them, concerning any debt, and any sum; and the execution thereof to be made according to the form and effect of the said statute of Acton Burnell, statute of merchants, or either of them, or other statute in that part set forth and provided; and also to do and execute all other things in the premises, or the premises any ways touching or concerning, which by the vigour of the said statute of Acton Burnell, and the statute of merchants, and other statutes in that part set forth and provided, or either or any of them, belong to be done and executed. And that for ever hereafter there be and shall be a clerk of us, our heirs and successors, of the said borough of Tewkesbury, to receive such like recognizances of debts, according to the form of the statutes aforesaid; and that he may and shall perpetually have power and authority to do and perform all and singular

matters, which in any wise belong to the office of clerk of recognizances, according to the form of the statutes aforesaid, or either of them, to be taken in the vigour of those statutes, or either of them, to be done and executed. And we do ordain, nominate, constitute, create, erect and appoint, by these presents, for us, our heirs and successors, the aforesaid Henry Collet to be our clerk, our heirs and successors, of the recognizances aforesaid, within the borough aforesaid, and the aforesaid liberty and precinct of the same, according to the form and statute aforesaid, as long as he shall behave himself well in the same office; and that the aforesaid bailiffs, and the aforesaid clerk of the like recognizances, for the time being, may for ever have a seal for sealing the recognizances aforesaid, according to the form of the statute aforesaid; and that the same bailiffs and clerk of such like recognizances, for the time being, may have for ever henceforth the keeping of the said seal; and that the said bailiffs and clerk of the like recognizances, for the time being, may have from henceforth for ever so much, and so great, and intire, and absolute authority, faculty and power, from henceforth for the future, to take, seal and record, and certify such like recognizances, and to perform, do and execute all other, according to the exigence of the said statute, by and in all things, with the sureties, fees and regards thereunto belonging and appertaining, as any other mayor, mayors, bailiff, bailiffs, and such clerk or clerks, in any city, borough or town whatsoever, within this our kingdom of England, hath, or have, or ought to have. And we do make, create, constitute, appoint and ordain, by these presents, the said bailiffs and clerk of the recognizances of the said borough, for the time being, to do and perform all the premises.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that after the death or removal of the aforesaid Henry Collet from the aforesaid offices of common clerk, clerk of the peace, and clerk of the recognizances, within the borough aforesaid, or from either of them, and from and after any other determination of the offices aforesaid, of common clerk, clerk of the peace, and clerk of the recognizances, within the borough aforesaid, or either of them, and as often as such offices or either or any of them shall be void, then and so often it may and shall be well and lawful for the bailiffs and principal burgesses of the borough aforesaid, for the time being, or for the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) to elect, nominate and appoint, one other fit person or more fit persons to be common clerk, clerk of the peace and clerk of the recognizances, within the borough aforesaid, to be continued in the like office or offices, to which he or they shall be elected and appointed, so long as he or they shall behave himself or themselves well. Provided always, and we will, that every person and persons, so as aforesaid hereafter to be

elected to the aforesaid offices of common clerk, clerk of the peace and clerk of the recognizances, within the borough aforesaid, or to either or any of these offices, before he or they be admitted to the execution of these offices, or either or any of them, shall take a corporal oath for the due execution of the offices of common clerk, clerk of the peace and clerk of the recognizances, within the borough aforesaid, or for the due execution of such office or offices to which he or they shall be so elected, before the bailiffs and principal burgesses of the borough aforesaid, for the time being, or the greater part of them.

And moreover we will, and by these presents, for us, our heirs and successors, do command, that the bailiffs, recorders, common clerk, principal burgesses, justices of the peace, assistants, chamberlain, coroner, clerk of the peace and recognizances, and other officers, by these presents nominated and constituted, before that they or either of them be respectively admitted to the execution of their separate trusts and offices, in these presents mentioned, they and every of them shall take and perform their separate corporal oaths, upon the Bible, for the due execution of their trusts and respective offices, in manner and form following, (*viz.*) The bailiffs and recorder, by these presents nominated and appointed, shall take their oaths before the aforesaid Richard Dowdeswell, Stephen Baldwin, esqrs. Henry Collet, sen. and James Bengough, gent. or any two or more of them, to which, or any two or more of them, we give and grant, by these presents, full power and authority to give and administer the like oath. And we have also granted, and by these presents, for us, our heirs and successors, do grant, that the aforesaid bailiffs and recorder, in these presents nominated, or two of them, (of whom either of the bailiffs we will to be one,) may have full power and authority of giving and administering a corporal oath to the rest of the principal burgesses, justices of the peace, chamberlain, common clerk, clerk of the peace and recognizances, coroner, assistants, and other officers aforesaid, in these presents before mentioned, and also the aforesaid four justices of the peace, by virtue of these presents, as aforesaid, to be elected within one month after the date of these presents.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, may and shall for ever have, within the borough aforesaid, liberty and precinct of the same, one prison or gaol, for the preservation and keeping of all and singular persons attached or to be attached, or to be any ways adjudged to the prison or gaol of the borough aforesaid, within the liberty of the borough aforesaid, or precinct of the same, for any cause which could be inquired, prosecuted, punished or determined, in that borough, to abide there so long and until they shall be freed in a lawful manner; and that the bailiffs of

the borough aforesaid, for the time being, be and shall be keepers of the same gaol.

We will also, and by these presents, for us, our heirs and successors, of our more abundant special grace, certain knowledge and mere motion, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that they and their successors may have all fines, redemptions, recognizances and amercements whatsoever, for transgressions and other misdeeds whatsoever, or other causes and matters within the borough aforesaid, liberty and precinct of the same, committed and to be committed, and also all and all manner of penalties and forfeitures, forfeited or to be forfeited, of all burgesses and inhabitants of the borough, and liberty of the same aforesaid, there residing, and henceforth happening to reside, and their successors, for the peace of us, our heirs and successors, and otherwise howsoever, and also of all other residing in the borough aforesaid, and liberty of the same, forfeited or to be forfeited, to us, our heirs and successors, within the same borough, liberty, and precinct of the same, and all and all manner of issues, fines, redemptions and amercements, of the aforesaid burgesses and residents, their heirs and successors, before the bailiffs of the borough aforesaid, as before the justices of us, our heirs and successors, appointed to take the assizes or gaol delivery, keepers of the peace, and justices itinerant, and the institutes of us, our heirs and successors, to hear and determine, and other missionary justices of us, our heirs and successors, whatsoever forfeited or to be forfeited, done or to be done, imposed or to be imposed, from or by any cause, by the chamberlain of the borough aforesaid, who shall be for that time, to the use of the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, to be asked, levied and demanded, without the occasion or hindrance of us, our heirs and successors, sheriffs, justices, and other missionary officers and ministers whatsoever, of us, our heirs and successors.

We have also granted, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that they and their successors, henceforth for ever, may and shall have, to the proper use of them the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, all and all manner of goods and chattels of all felons and fugitives, outlawed and waved, to be outlawed and to be waved, adjudged, condemned, and to be adjudged, attain and happening to be attain, convicted and to be convicted, fled and to be sought after, for felony, murder, or petty treason, transgression, or other matter or cause whatsoever; and other forfeitures and offences beforesaid, touching and concerning all and singular burgesses and inhabitants, residing or not residing within the borough aforesaid, and liberty and precinct of the same, and all other things whatsoever, within the borough aforesaid, liberty and precinct of the same,

found out and happening for the future to be found out; and that if any person, that ought to lose his life or limbs for his offence, shall either fly, and will not stand to judgment, or shall commit any other crime, for which he ought to lose or forfeit his goods and chattels, wheresoever justice ought to be done him, whether it be in our court, our heirs and successors, or in any other court whatsoever, his goods and chattels being, or henceforth for the future happening to be, within the borough aforesaid, liberty and precinct of the same, shall be to the bailiffs, burgesses and commonalty of the borough aforesaid, and their heirs for ever; and that it may and shall be well and lawful for the same bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, by the chamberlain of the borough aforesaid, who for that time shall be, or by any other or others in their name, without the hindrance of us, our heirs and successors, or any officers of our heirs and successors whatsoever, to put himself or themselves in seizure of the goods and chattels aforesaid, and them receive and keep for the use of the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, although the same goods and chattels shall be first seized by us, or our heirs or successors, or by our or their servants.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs of the borough aforesaid, for the time being, and their successors, may and shall have full authority and power to press for the service of us, our heirs and successors, at any of our wars, and musterings, and trainings of our subjects, within the town and parish of Tewkesbury aforesaid, the limits and precincts of the same, as often and when they see fit, from time to time, to be done, taken and overlooked, and to cause to be chastised and punished those that refuse the premises, or any of them, at the lawful command of the said bailiffs of the borough aforesaid, for the time being, by imprisonment of their bodies, according to their discretion; and that no man possessing a place, or a commissioner of us, our heirs or successors, appointed or to be appointed to press, or train, in the aforesaid county of Gloucester, may introduce himself in any pressing or training of men, abiding or inhabiting within the town and parish of Tewkesbury aforesaid, limits and precinct of the same, nor enter into the town and parish aforesaid, limits or precinct of the same, to do or execute any thing that doth in any wise belong to his office of pressing or training, unless with the assent and consent of the bailiffs of the borough aforesaid for the time being.

And farther, of our more ample special grace, certain knowledge and mere motion, we will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that neither they the bailiffs and principal burgesses, and their assistants, the high steward, chamberlain, and their

successors, and other their officers within the borough aforesaid, shall serve, nor any of them may be compelled or bound, nor either of them be compelled or bound, any ways to come before us, our heirs and successors, the justices of the bench of us and our heirs, the justices of us and our heirs appointed keepers of the peace, to take the assizes and gaol delivery, and the justices of us and our heirs appointed to hear and determine divers felonies, transgressions and misdeeds, or the justices of us and our heirs of the *nisi prius*, or the justices of us and our heirs assigned to survey the sea-walls, ditches, gouts, sewers, paths, bridges and rinds, or other commissioners of us or our heirs, the high sheriff, escheater, coroner, high steward, mareschal, or clerk of the market of our household, or other officers and servants of us, our heirs and successors; nor may any or either of them, in any assizes, be put or impanelled on a jury, or other inquisition, without the borough aforesaid, nor may they or either of them forthwith forfeit to us or our heirs, in any issue or amercement, on any occasion whatsoever; but thereof let them be quiet for ever, unless they have, or either of them hath, lands and tenements without the borough aforesaid, liberty and precinct of the same, for which he or they ought to be charged.

And we have farther given and granted, and by these presents, for us, our heirs and successors, do give and grant, to the aforesaid bailiffs and burgesses of the borough aforesaid, and their successors, that the bailiffs of the borough aforesaid, for the time being, may and shall have the return of all writs, precepts, bills and warrants, of us, our heirs and successors; and also summons, estreats and precepts, of our exchequer, our heirs and successors; and the estreats and precepts of our justices itinerant, as well at the forest pleas, as at the common pleas, or other offices whatsoever; and also attachments, as well of the pleas of the crown, as others coming from and happening in the said borough, liberty and precinct, or any part of them; and the execution of them to be made by the bailiffs of the borough aforesaid, for the time being; so that no high sheriff, under sheriff, bailiff, or any servant of us, our heirs and successors, may enter into our borough aforesaid, the suburbs or precinct of the same, for any thing or things belonging to his office to be done, in this part to be done, unless in defect of those bailiffs, or their successors, or their servants, for the time being.

And we will also, and by these presents, for us, our heirs and successors, do grant and ordain, that henceforth for ever there be and shall be, in the said borough of Tewkesbury, two burgesses of the parliament of us, our heirs and successors; and that the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, upon a writ of us, our heirs and successors, concerning the election of burgesses of parliament, to them directed, may and shall have power, authority and faculty, of electing and nominating two discreet and honest men to be burgesses of the parliament of us, our heirs and successors, for the same borough, and to send the same

burgesses, so elected, at the charges and costs of the said bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, for the time being, into the parliament of us, our heirs and successors, where it shall be then held, in the same manner and form as is used and accustomed in any boroughs of our kingdom of England; which burgesses, so elected and nominated, we will to be present and to abide at the parliament of us, our heirs and successors, at the charges and costs of the said bailiffs, burgesses and commonalty of the borough aforesaid, for the time being, during the time in which the parliament shall happen to be held; and they to have places and votes in like manner and form as other burgesses of parliament for any other boroughs or borough whatsoever, within our kingdom of England, do and have, or have been wont to do and have; and these burgesses, in the parliaments of us, our heirs and successors, shall have their votes as well affirmative as negative, and shall there do and execute all and singular other matters, as any other burgesses or burgess of our parliament, for all other boroughs or borough whatsoever, may or can have, do and execute, by reason or manner whatsoever.

And we farther will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors for ever, that they and their successors may and can have, hold and keep, in the borough aforesaid, yearly for ever, all and singular such wakes, fairs and markets, in the same borough, as by the aforesaid charter, made in the seventh year aforesaid of the late King James I. or by any charters of our antecessors and predecessors, to the same bailiffs, burgesses and commonalty of the borough aforesaid, or to their predecessors granted, before that time were granted, and which at or before the time of the surrender aforesaid were lawfully held or used, by the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, within the borough aforesaid, together with the *pie poudre* court there held in the time of those wakes and fairs, and with all liberty and free customs of toll, stallage, piccage, fines, amercements, and all other profits, commodities and emoluments whatsoever, belonging, happening, proceeding or touching, the same wake or fair, and *pie poudre* court, and with all other free customs and liberty whatsoever, to the same wake, fair and *pie poudre* court, appertaining and belonging.

And we farther will and grant to the bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs of the borough aforesaid, for the time being, henceforth for ever, be and shall be clerks of the market within the borough aforesaid, liberty and precinct of the same.

And we further will, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that the bailiffs and principal

burgesses of the borough aforesaid, for the time being, or the greater part of them, (of whom either of the bailiffs of the borough aforesaid for the time being we will to be one,) may and shall have power and authority, from time to time, to elect, nominate, appoint and constitute, so many and such, as well without the borough aforesaid, as within that borough, limits or precinct of the same, inhabiting and abiding, to be burgesses of the said borough, as to the said bailiffs and principal burgesses of the borough aforesaid, or to the greater part of them, as aforesaid, for the public profit of the said borough, shall seem more profitable, in the same manner and form, and with the same corporal oath to be taken by every of the said burgesses so chosen and appointed, as the burgesses of that borough were heretofore wont to take within the said borough of Tewkesbury; and that these burgesses of the borough aforesaid, and every of them, henceforth for ever, may and can perpetually, fully and peaceably, possess and enjoy all liberties, privileges, franchises and immunities, by either or any of our progenitors or predecessors, kings or queens of England, to the bailiffs, burgesses and commonalty of the borough of Tewkesbury, or incorporated by any other name or names, before given and granted, at and before the time of the surrender aforesaid.

And farther, of our more plentiful and special grace, certain knowledge and mere motion, we have given and granted, and for us, our heirs and successors, by these presents, do give and grant, to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, full power, authority and jurisdiction, that the aforesaid bailiffs of the borough aforesaid, for the time being, may and can have and exercise, within the borough aforesaid, and liberty and precinct of the same, henceforth for ever, the punishing and correcting of all and singular drunkards, and all and singular harlots, whores, bawds, concubines, and all others whatsoever living lasciviously and incontinently; and also all and singular dishonestly or maliciously communicating, upon any occasion, whether they are scolds abiding or inhabiting within the borough aforesaid, and liberty of the same, or are delinquents, as well by the verdict and presentment of twelve honest and lawful men of the borough aforesaid, for that time being, as by other lawful ways and means, to which the said bailiffs, for the time being, it shall seem to be most expedient.

And farther, of our more abundant special grace, certain knowledge and mere motion, we have granted, and by these presents, for us, our heirs and successors, do grant and give, special and free liberty and faculty, power and authority, to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, to have, receive and purchase, to them and their successors for ever, the manors, messuages, lands, tenements, meadows, pastures, woods, rectories, tithes, rents, reversions, and other hereditaments whatsoever, within our kingdom of England, or any where

within our dominions, purchased of us, our heirs and successors, as of any other person or persons whatsoever, so that the same manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, tithes, rents, reversions, and other hereditaments, so by them to be had, received and purchased, above the aforesaid manor, borough and hundred of Tewkesbury, and other the premises in these presents before-mentioned, and other manors, lands, tenements and hereditaments, purchased before the making of the aforesaid letters patents, in the seventh year of King James I. by the same bailiffs, burgesses and commonalty of the borough aforesaid, or their predecessors, by any name or names incorporated, or purchased by virtue of any incorporation, do not exceed in the whole the clear yearly value of £.200 per annum, besides all charges. And we do give also, and by these presents, for us, our heirs and successors, to every of our subjects, our heirs and successors, special and free liberty, power and authority, that they, or either or any of them, may give, grant or sell, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments whatsoever, to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors; so that all the aforesaid manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments, to the same bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, by virtue of these presents so to be given, granted, leased and aliened, as aforesaid, do not exceed, in the whole, the clear yearly value of £.200 per annum, besides all charges and reprises.

And we farther will, and by these presents, for us, our heirs and successors, do give, grant, confirm, ratify, restore and approve, to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, all and all manner of liberties, franchises, immunities, exemptions, privileges, acquittances, jurisdictions, lands, tenements, wafts, funds, commons, and hereditaments whatsoever, which the bailiffs, burgesses and commonalty of the borough aforesaid, or any of their successors, by any names or name, or by any incorporation, or under pretence of any incorporation, in time of making the aforesaid charter, made in the seventh year of the aforesaid King James I. had, possessed, used or enjoyed, or ought to have, possess, use or enjoy, from an hereditary state, by reason or under pretence of any charters or letters patent, by any of our progenitors or predecessors, kings or queens of England, howsoever before them made, confirmed or granted, or by any other lawful means, right, title, custom, use or prescription, before then lawfully used, had or accustomed, although the same, or any of them, have not heretofore been used, or have been abused, or ill used or discontinued; and although the same, or either or any of them, are and have been forfeited, or lost, or surrendered; to be had,

possessed, exercised, used and enjoyed, by the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors for ever; and to restore and pay therefore to us, our heirs and successors, yearly, so much, so many, such, the same, and the like rents, services, sums of money and demands whatsoever, as for the same were heretofore wont to be paid, or they ought to pay, to us or our predecessors. Wherefore we will, and by these presents, for us, our heirs and successors, that the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, may fully and entirely have, possess, use and enjoy, all liberties, free customs, privileges, authority, jurisdictions and acquittances aforesaid, according to the tenor and effect of these our letters patent, without the occasion or hindrance of us, or any of our heirs or successors; willing that the same bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, or any or either of them, by reason of the premises, or either of them, by us, our heirs, our justices, sheriffs, escheators, or other bailiffs or servants of us, our heirs and successors, whatsoever, be occasioned, molested, vexed, grieved, or disturbed, in any thing; willing, and by these presents, for us, our heirs and successors, commanding, as well the commissioners of our treasury, the treasurer, chancellor and barons, of the exchequer, of us, our heirs and successors, as our attorney and solicitor general for the time being, and every of them, and all other officers and servants whatsoever of us, our heirs and successors, that neither they, nor either nor any of them, may prosecute or continue, or shall cause to be prosecuted or continued, any writ or summons of any warrant, or any other our writ, writs or process whatsoever, against the bailiffs, burgesses and commonalty of the borough aforesaid, or either or any of them, for any causes, things or matters, offences, claims or usurpations, whether of any of them, by them, or any of them, due, claimed, attempted, used, had or usurped, before the day of the making of these presents; willing also, that the bailiffs, burgesses and commonalty of the borough aforesaid, or either of them, be no ways molested or hindered by either or any justices, officers and servants aforesaid, in or for due use, claim, usurpation or abuse, of any liberties, franchises or jurisdiction, before the day of the making of these our letters patent, or be compelled to answer to any or either of these things.

And farther, for the better education and instruction of boys and youth within the same borough, liberty and precinct thereof, in good arts, learning, virtue and education, perpetually to be educated and informed, of our more abundant special grace, certain knowledge and mere motion, we have willed, granted and ordained, and by these presents, for us, our heirs and successors, do will, grant and ordain, that from henceforth for ever there be and shall be, within the borough aforesaid, liberty and precinct of the same, one grammar-school, which shall be called the free grammar-school of William Ferrers, citizen and mercer of London, in Tewkesbury, in the county of

Gloucester, and that school, by the name of the free grammar-school of the aforesaid William Ferrers, of Tewkesbury, in the county of Gloucester, we do erect, ordain, create, found and firmly establish, by these presents; and that the free grammar-school aforesaid be, and do consist of one master and one usher, and scholars in the same school, to be taught and instructed according to the ordination and constitution in these presents below specified and declared. And that our aforesaid intention may better take effect, and that the manors, messuages, lands, tenements, rents, reversions, hereditaments, annuities, goods and chattels, and other profits and hereditaments, to be granted, assigned and appointed, to the sustenance of the free grammar-school aforesaid, may be better governed, for continuation of the same school, we will, grant and ordain, that the aforesaid bailiffs, justices of the peace, chamberlain of the borough aforesaid, and town clerk, in Tewkesbury aforesaid, and their successors, henceforth for ever, shall be and be called governors of the goods, possessions and revenues, of the aforesaid free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester.

And farther, of our more abundant special grace, certain knowledge and mere motion, we do will, ordain and establish, by these presents, for us, our heirs and successors, that the aforesaid bailiffs, justices, chamberlain and town clerk, of the aforesaid borough of Tewkesbury, for the time being, and their successors for ever, henceforth be and shall be one body corporate and politic of itself, in deed, fact and name, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester; and them, and their successors, into one body corporate and politic, really and to the full, for us, our heirs and successors, we do incorporate, erect, create, ordain, make and establish, by these presents; and that by the same name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, in all future times they shall be known, called and nominated, and shall have a perpetual succession.

And we farther will and ordain, and by these presents, for us, our heirs and successors, do grant to the aforesaid governors, and their successors, that they and their successors, from henceforth for ever, may have a common seal, to serve for their business touching the free grammar-school aforesaid, according to the tenor and true intent of these our letters patent; and that it may and shall be well and lawful for them, and their successors, to break, change and make new, that seal, from time to time, at their pleasure, as it shall seem fit to them to be done; and that they and their successors, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, be and shall be perpetually persons fit and capable, in the

law, to have, purchase, receive and possess, to them and their successors, the goods and chattels, and also manors, messuages, lands, tenements, meadows, pastures, feedings, rents, reversions, services, rectories, tithes, and other possessions and hereditaments whatsoever, to the sustenance and maintenance of the said grammar-school, as well from us, our heirs and successors, as from any other person or persons whatsoever, in manner and form in these presents below specified; and that the aforesaid governors, and their successors, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, may and can plead and be impleaded, defend and be defended, answer and be answered, in all and singular causes, complaints, actions, suits and demands whatsoever, of whatsoever sort, nature or kind they be, in whatsoever places and courts of us, our heirs and successors, and before whatsoever judges and justices of us, our heirs and successors, or any of them, within our kingdom of England, and to do and execute all other facts and deeds, by the name aforesaid, as other our subjects of our kingdom of England, persons fit and capable in the law, within our kingdom of England, do or may do, in the places and courts aforesaid, and before the justices abovesaid.

And we farther will, and by these presents, for us, our heirs and successors, do give and grant liberty, power and authority, to the aforesaid governors and their successors, to elect, nominate and appoint, and that they may and can elect and appoint, one honest man, learned, and fearing God, to be master of the free grammar-school aforesaid, and one other man, discreet and fit, to be usher of the same school; which master and usher, so as aforesaid elected, nominated and appointed, shall be and continue, and either of them shall be and continue, in their offices aforesaid, during the good pleasure of those the governors and their successors for the time being; and that as often as it shall happen that any master or usher of the free grammar-school aforesaid dies, or be removed from the office and place aforesaid, that then and so often it shall and may be well and lawful for the aforesaid governors, and their successors, to elect, nominate and appoint, one other honest man, learned, and fearing God, in the place of the master so dead or removed from his office; and also one other honest and fit man, in the like place of the usher, so happening to die or be removed; and that every master, so as aforesaid nominated and appointed, shall be and continue in the office or place of master or usher of the same free grammar-school, during the good pleasure of those governors of the goods, possessions and revenues, of the free grammar-school aforesaid, and their successors; and that the same governors of the goods, possessions and revenues, of the said free grammar-school of William Ferrers, of Tewkesbury, in the county of Gloucester, for the time being, and their successors, shall and may make fit and wholesome statutes, ordinances and writings,

Gloucester; and that school, by the name of the free grammar-school of the aforesaid William Ferrers, of Tewkesbury, in the county of Gloucester, we do erect, ordain, create, found and firmly establish, by these presents; and that the free grammar-school aforesaid be, and do consist of one master and one usher, and scholars in the same school, to be taught and instructed according to the ordination and constitution in these presents below specified and declared. And that our aforesaid intention may better take effect, and that the manors, messuages, lands, tenements, rents, reversions, hereditaments, annuities, goods and chattels, and other profits and hereditaments, to be granted, assigned and appointed, to the sustenance of the free grammar-school aforesaid, may be better governed, for continuation of the same school, we will, grant and ordain, that the aforesaid bailiffs, justices of the peace, chamberlain of the borough aforesaid, and town clerk, in Tewkesbury aforesaid, and their successors, henceforth for ever, shall be and be called governors of the goods, possessions and revenues, of the aforesaid free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester.

And farther, of our more abundant special grace, certain knowledge and mere motion, we do will, ordain and establish, by these presents, for us, our heirs and successors, that the aforesaid bailiffs, justices, chamberlain and town clerk, of the aforesaid borough of Tewkesbury, for the time being, and their successors for ever, henceforth be and shall be one body corporate and politic of itself, in deed, fact and name, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester; and them, and their successors, into one body corporate and politic, really and to the full, for us, our heirs and successors, we do incorporate, erect, create, ordain, make and establish, by these presents; and that by the same name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, in all future times they shall be known, called and nominated, and shall have a perpetual succession.

And we farther will and ordain, and by these presents, for us, our heirs and successors, do grant to the aforesaid governors, and their successors, that they and their successors, from henceforth for ever, may have a common seal, to serve for their business touching the free grammar-school aforesaid, according to the tenor and true intent of these our letters patent; and that it may and shall be well and lawful for them, and their successors, to break, change and make new, that seal, from time to time, at their pleasure, as it shall seem fit to them to be done; and that they and their successors, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, be and shall be perpetually persons fit and capable, in the

law, to have, purchase, receive and possess, to them and their successors, the goods and chattels, and also manors, messuages, lands, tenements, meadows, pastures, feedings, rents, reversions, services, rectories, tithes, and other possessions and hereditaments whatsoever, to the sustenance and maintenance of the said grammar-school, as well from us, our heirs and successors, as from any other person or persons whatsoever, in manner and form in these presents below specified; and that the aforesaid governors, and their successors, by the name of governors of the goods, possessions and revenues, of the free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, may and can plead and be impleaded, defend and be defended, answer and be answered, in all and singular causes, complaints, actions, suits and demands whatsoever, of whatsoever sort, nature or kind they be, in whatsoever places and courts of us, our heirs and successors, and before whatsoever judges and justices of us, our heirs and successors, or any of them, within our kingdom of England, and to do and execute all other facts and deeds, by the name aforesaid, as other our subjects of our kingdom of England, persons fit and capable in the law, within our kingdom of England, do or may do, in the places and courts aforesaid, and before the justices abovesaid.

And we farther will, and by these presents, for us, our heirs and successors, do give and grant liberty, power and authority, to the aforesaid governors and their successors, to elect, nominate and appoint, and that they may and can elect and appoint, one honest man, learned, and fearing God, to be master of the free grammar-school aforesaid, and one other man, discreet and fit, to be usher of the same school; which master and usher, so as aforesaid elected, nominated and appointed, shall be and continue, and either of them shall be and continue, in their offices aforesaid, during the good pleasure of those the governors and their successors for the time being; and that as often as it shall happen that any master or usher of the free grammar-school aforesaid dies, or be removed from the office and place aforesaid, that then and so often it shall and may be well and lawful for the aforesaid governors, and their successors, to elect, nominate and appoint, one other honest man, learned, and fearing God, in the place of the master so dead or removed from his office; and also one other honest and fit man, in the like place of the usher, so happening to die or be removed; and that every master, so as aforesaid nominated and appointed, shall be and continue in the office or place of master or usher of the same free grammar-school, during the good pleasure of those governors of the goods, possessions and revenues, of the free grammar-school aforesaid, and their successors; and that the same governors of the goods, possessions and revenues, of the said free grammar-school of William Ferrers, of Tewkesbury, in the county of Gloucester, for the time being, and their successors, shall and may make fit and wholesome statutes, ordinances and writings,

touching and concerning the nomination, election, ordination, government, punishment, expulsion, removal and direction, of the said free grammar-school, the master and usher of the same school, and the scholars in the same school being; and concerning and touching the ordination, government, dismissal, location, disposition, recovery, defence and preservation, of the manors, messuages, lands, tenements, possessions, hereditaments, goods and chattels, to be given, granted or assigned, to the maintenance of the aforesaid grammar-school. Which statutes and ordinances, so to be made, we will and ordain, and for us, our heirs and successors, do command, from time to time inviolably to be observed for ever; so nevertheless that the aforesaid statutes and ordinances, so as aforesaid to be made, or any of them, are not repugnant or contrary to the laws, statutes, rights, or customs, of this our kingdom of England.

And farther, of our more abundant special grace, certain knowledge and mere motion, we have given and granted, and by these presents, for us, our heirs and successors, do give and grant, to the aforesaid governors of the goods, possessions and revenues, of the aforesaid free grammar-school of the aforesaid William Ferrers, in Tewkesbury, in the county of Gloucester, and their successors, liberty, special free will, power, faculty and authority, to have, purchase, receive and possess, to them and their successors for ever, for the perpetual sustenance and maintenance of the free grammar-school aforesaid, manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, rents, reversions and services, and other hereditaments whatsoever, within our kingdom of England, or any where within our dominions, as well from our heirs and successors, as from any other person or persons whatsoever, so that the same manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments, do not exceed in the whole the clear yearly value of £.30 per annum, besides all charges and reprises.

And we do also give and grant, for us, our heirs and successors, by these presents, to every of our subjects, our heirs and successors whatsoever, special and free liberty and power, faculty and authority, that they and every of them may give, grant, sell, lease or alien, manors, messuages, lands, tenements, meadows, pastures, feedings, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments whatsoever, to the aforesaid governors of the goods, possessions and revenues, of the aforesaid free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, and their successors; so nevertheless that all the aforesaid manors, messuages, lands, tenements, meadows, pastures, feedings, woods, underwoods, rectories, tithes, rents, reversions and services, and other hereditaments, so as aforesaid to be given, granted, leased or aliened, to the same governors and their successors, by virtue of these presents, do not exceed in the whole the clear yearly value of £.30, besides burthens and reprises.

We will also, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that these our letters patent, and all and singular things in them contained, shall stand and be good, firm, valid, sufficient and effectual, in the law; and that all and singular things, in these presents expressed and specified, may be expounded, declared, construed, interpreted and adjudged, as well to the sense and intention, as to the words, most kindly, favourably, graciously, and for the profit and benefit of those bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, towards us, our heirs and successors.

In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster, the thirteenth day of July, in the tenth year of our reign.

No. 30.

[Chapter 15.—Page 212.]

High Stewards, Recorders, Town Clerks, Coroners, and Chamberlains,

UNDER THE PRESENT CHARTER.

High Stewards.

- 1698. Algernon, Earl of Essex.
- 1710. Thomas, Earl of Wharton.
- 1715. Charles Howard, Earl of Carlisle.
- 1716. Duke of Portland, in lieu of the Earl of Carlisle, who refused or neglected to accept the office.
- 1728. William, Earl of Essex.
- 1743. William, Lord Deerhurst, son of William, Earl of Coventry.*
- 1744. George William, Lord Deerhurst, brother of the above, and afterwards sixth Earl of Coventry.
- 1810. George William, seventh and present Earl of Coventry.

* Three individuals of this noble family were high stewards of Tewkesbury under former charters. Thomas, second Lord Coventry, eldest son of the Lord Keeper Coventry, was high steward until his death, which occurred in 1661. George, the third baron, was appointed his successor; and at the death of the latter, in 1680, John, the fourth Lord Coventry, was chosen to the same office.

Recorders.

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|-------------------------------|---------------------------------|
| 1698. Robert Tracy, esq.* | 1777. Sir Charles Barrow, bart. |
| 1735. William Bromley, esq. | 1787. William Dowdeswell, esq.† |
| 1756. The Hon. Robert Harley. | 1798. John Edmund Dowdeswell, |
| 1760. Nicholas Hyett, esq. | esq. |

Town Clerks and Coroners.

- | | |
|----------------------------|---------------------------------|
| 1698. Henry Collet, esq. | 1767. Neast Havard, esq. |
| 1715. Thomas Warkman, esq. | 1787. Henry Fowke, esq. |
| 1733. George Taylor, esq. | 1818. Edmund Warden Jones, esq. |
| 1735. Henry Whitaker, esq. | |

Chamberlains.

- | | |
|----------------------------------|----------------------------------|
| 1698. William Wilson, esq. | 1792. Thomas Woollams, esq. |
| 1728. Nathaniel Jeynes, esq. | 1804. Omwell Lloyd, esq. |
| 1738 to 1756. The senior Bailiff | 1811. Henry William Harris, esq. |
| 1757. John Havard, esq. | 1813. Joseph Boughton, esq. |
| 1771. John Pitt, esq. | 1827. Thomas Vernon, esq. |

* The death of Judge Tracy is thus recorded in the Gloucester Journal of Sept. 23d, 1735:—

“ At his seat in Gloucestershire, aged near fourscore, Robert Tracy, esq. who was made one of the justices of the court of common-pleas in the reign of King William, in which post he continued all the reign of Queen Anne and King George I. But on his present majesty's accession to the throne, his patent was not renewed. He was of a very ancient family in Gloucestershire, being descended by a second ventre from Robert Viscount Tracy, (son and heir of John the first Viscount,) who represented the county of Gloucester in several parliaments in the life-time of his father; and was knighted by King James I. The judge married Anne, eldest daughter of William Dowdeswell, of Pull Court, in Worcestershire, esq. by whom he had three sons, Robert, Richard, and William, all of whom are dead; but the eldest son has left a son, who is in his minority, and heir to his grandfather. The judge had also two daughters; Anne, married first to Charles Dowdeswell, of Forthampton-Court, in Gloucestershire, esq. and is now the wife of Thomas Wylde, esq. who represented the city of Worcester in several parliaments, and is now one of the commissioners of the excise; and Dorothy, his youngest daughter, who is dead, married — Pratt, esq. son and heir of the Lord Chief Justice Pratt. Mr. Justice Tracy was a complete gentleman, and a good lawyer; of a clear head, and an honest heart; and was remarkable for delivering his opinion with that genteel affability and integrity, that even those that lost a cause were charmed with his behaviour; he was a true friend to his country, would never stoop to do mean and little offices, nor ever made himself a tool to a party; by which means he lived respected by all, and has died universally lamented.”

† Wm. Dowdeswell, esq. was son of Dr. Dowdeswell, of Chaceley, and nephew to the Right Hon. Wm. Dowdeswell, chancellor of the exchequer.



No. 31.

[Chapter 15.—Page 213.]

Bailiffs of Tewkesbury, under the Charters of Elizabeth and James the First.

1574.	Thomas Perkins	Thomas Geest
1575.	Nicholas Greenwood	Kenelm Cotterell
1576.	William Hill	Thomas Crump
1577.	Richard Pace	William Wakeman
1578.	Edward Leight	John Leight
1579.	Hugh Sclicer	Richard Rydgesdale
1580.	George Morrey	Henry Dowle
1581.	Roger Turberville	Richard Eckingsall
1582.	Thomas Crump	Richard Clark
1583.	Nicholas Greenwood	John Rice
1584.	William Hill	William Willis
1585.	Richard Pace	Thomas Geest
1586.	William Wakeman	Robert Milton
1587.	Edward Leight	Edward Alye
1588.	Kenelm Cotterell	Richard Cotton
1589.	John Barston	William Fowlk
1590.	John Millington	John Mann
1591.	William Willis	John Hazard
1592.	Thomas Geest	John Hodges
1593.	Edward Alye	John Bubb
1594.	Kenelm Cotterell	John Butler
1595.	George Connard	George Morrey
1596.	Richard Cotton	Thomas Hilley
1597.	William Fowlk	William Johnson
1598.	Edmund Balthrop	Henry Tovey
1599.	Henry Tovey	Thomas Careless
1600.	Edward Alye	William Turberville
1601.	George Morrey	John Bradford
1602.	Conon Richardson	John Vicaridge
1603.	Thomas Hilley	William Parsons
1604.	Thomas Hilley	William Parsons
1605.	William Johnson	Richard Butler
1606.	Thomas Lancaster	William Rayer
1607.	William Turberville	William Phelps
1608.*	George Morrey	John Cooke

* At the election of officers, in 1608, William Turberville and William Phelps, the old bailiffs, wishing to continue in office another year, absented themselves from the common council; but their project failed, for in consequence of their neglect, they were wholly expelled the body corporate.

1609.	John Cooke	William Hitches
1610.	Conon Richardson	Richard Bradford
1611.	John Vicaridge	John Scullove
1612.	William Johnsons	John Slaughter
1613.	Thomas Hilley	Thomas Deakins
1614.	William Parsons	John Underhill
1615.	William Hitches	George Morrey
1616.	Richard Bradford	John Hill
1617.*	John Vicaridge	William Hill
1618.†	John Cooke	Thomas Vaughan
1619.‡	John Slaughter	Edward Tovey
1620.	Conon Richardson	Richard Wheeler
1621.§	William Hitches	John Packer
1622.	Richard Bradford	William Whitledge
1623.	William Cowles	Edward Millichap
1624.	Thomas Vaughan	Kenelm Mearston
1625.	John Slaughter	George Shaw
1626.	Richard Wheeler	Christopher Canner
1627.	John Packer	Thomas Hale
1628.	William Hitches	Edward Millichap
1629.	Richard Bradford	Edward Phelps
1630.	William Whitledge	Michael Millington
1631.	Thomas Vaughan	Roger Plevy
1632.	Kenelm Mearston	Thomas Clarke
1633.	George Shaw	Giles Harmar
1634.	Christopher Canner	William Terrett
1635.	John Packer	John Mann
1636.	Thomas Hale	Thomas Bennett
1637.	William Whitledge	William Crooke

* Although Mr. John Vicaridge repeatedly served the highest offices in the corporation, he was incapable of writing even his own name.

† In 1618, the junior bailiff sued the elder for misbehaviour in his office. The offence is not explicitly stated, but it appears to have been relative to the mustering of the townspeople when "a huge navy of Spaniards appeared."

‡ In 1619, on the death of John Cooke, who had retained the office of chamberlain of the borough by patent during his life, it was determined to elect one of the body corporate to that office annually, and Richard Bradford was accordingly sworn in chamberlain for that year only.

§ In 1621, the bailiffs had for the first time the entire custody of the borough gaol.

|| There were six principal burgesses and ten assistants elected in the year 1636, which was a greater number than was ever before admitted in so short a period. The fees were so considerable, that they were given to the poor, in December 1638.

1638.*	William Wilson	John Snell
1639.†	Roger Plevy	Thomas Hale
1640.	Edward Millichap	Robert Jennings
1641.	Kenelm Mearston	John Sclicer
1642.	Thomas Clarke	Thomas Carte
1643.	William Whitledge	Theophilus Alys
1644.	Thomas Hale, sen.	Robert Jennings
1645.	William Crooke	Thomas Skey
1646.	William Wilson	John Millington
1647.	Thomas Hale	Edward Jennings
1648.	John Mann	Christopher Atkinson
1649.‡	John Sclicer	John Carver

* In the bye-laws of the corporation, made in 1638, it was agreed, that every person, on being elected a principal burgess, should give a good dinner to the principal burgesses, the assistants, and their wives, or forfeit £.6. 13s. 4d.; that, on the election of assistants, two of them, joining together, should give a dinner to the principal burgesses and assistants, without their wives, or forfeit five nobles; and that every person, on being elected and sworn low bailiff, should give a banquet to the principal burgesses and assistants, and their wives, or forfeit £.13. 6s. 8d. A former order made it imperative upon the high bailiff to give a feast.

† In 1639, the bailiffs and two senior justices were, for the first time, appointed deputy lieutenants for the town and parish of Tewkesbury.

‡ In 1649, Christopher Atkinson, one of the late bailiffs, who was attached to the commonwealth interest, and twenty-one other inhabitants, petitioned parliament against the proceedings of the common council, in nominating John Slicer and Richard Berrow to be bailiffs, both of whom the petitioners accused of being disaffected to the existing government; praying that Sir William Constable, the honourable governor of Gloucester, and Colonel Harrison, major-general of these parts, both members of the House of Commons, might be empowered to hear and examine the premises upon oath, with liberty to abridge the number of the common-council, and to reform and regulate the government of the borough, by displacing the disaffected, and placing others in their stead. The House ordered the petition to be referred to Sir William Constable, knight, governor of Gloucester, Robert Holmes, of Netherton, and Giles Hancock, of Cirencester, esqrs. justices of the peace for the county of Gloucester, to examine witnesses, and to report to the committee of the House, on the 2d of February: the complaint to be heard on the 13th of the same month, when all the parties were to attend. The bailiffs, justices, common council, and burgesses, petitioned that William Leigh, William Shepherd and Sylvanus Wood, esqrs. justices of the peace for the county, might be added to the other justices appointed, and with this request the House acquiesced. In Dec. 1649, two of the commissioners, Mr. Holmes and Mr. Hancock, came to Tewkesbury, and the whole matter was referred to four members of the parliament, viz. Alderman Pennington and Sir Henry Mildmay, named by the complainants, and Colonel John Venn and Mr. Luke Hodges, nominated

1650.	William Hill	John Bach
1651.	William Crooke	Thomas Clarke
1652.	Robert Jennings	Philip Hilley
1653.	John Millington	Christopher Smith
1654.	Thomas Hale	Edward Wilson
1655.*	William Croft	Edward Phelps
1656.	John Bach	William Hatton
1657.	Thomas Clarke	Thomas Jeynes
1658.	Thomas Clarke	Thomas Jeynes
1659.	Christopher Smith	Andrew Woollams
1660.†	John Carver	John Dobbins
1661.	Philip Hilley	Philip Surman
1662.‡	Edward Jennings	John Mann
1663.	Edward Wilson	Nicholas Steight

by the defendants, to treat with all parties concerned touching the regulation of the corporation, and to consider of the liberties and privileges of the town, and the renewing of the charter, and a petition to parliament was accordingly prepared. The bailiffs and fifteen others of the common council then signed an appointment and authority to Thomas Bulstrode, esq. the recorder, and Richard Dowdeswell, gent. to attend their referees in parliament on all subjects relative to the borough. Nothing further however appears to have been done in the affair.

* It appears, by the following extract from a letter of Major-General Disbrowe to the Protector Cromwell, dated Jan. 7, 1655, that there were some considerable changes made in the body corporate in the course of this year:—"At Bristol, intimation was given me, by some honest people, that sundry of the aldermen and justices were enemies to the public interest, retaining their old malignant principles, discountenancing the godly, and upholding the loose and profane, which indeed is a disease predominating in most corporations." After detailing how he prevailed upon the mayor to induce the obnoxious members of the Bristol corporation to resign, and "make way for honester men," he thus proceeds: "There were also articles of delinquency proved against nine of the magistrates of Tewkesbury, and particularly against Hill their town-clerk: I have also dismissed them, and four of the common council of Gloucester, for adhering to the Scotch king's interest."—*Thurloe's State Papers*, vol. iv. p. 396.

† At a chamber meeting, Nov. 23, 1660, it was ordered, in obedience to a letter from the lords of the privy council, that Mr. William Wilson, Mr. John Mann, Mr. Thomas Hale, Mr. John Sclicer, Mr. Edward Jennings, Mr. Philip Hilley, and Mr. Edward Wilson, who were ejected by General Disbrowe's order, in 1655, should be restored to their places in the corporation.

‡ In Aug. 1662, by warrant of the commissioners appointed under the great seal, pursuant to the provisions of an act of parliament for regulating corporations, Philip Surman, John Carver, William Neast, William Croft, John Bach, Thomas Clarke, William Hatton, Thomas Jeynes, Robert

1664.	Edward Phelps	Thomas King
1665.	Conway Whithorn	Richard Smithsend
1666.	Thomas Nanfan	Henry Peyton
1667.	Christopher Smith	Edward Laight
1668.	George Jeynes	Theophilus Holland
1669.	Philip Hilley	Richard Cooke
1670.	John Dobbins	Thomas Palmer
1671.	Edward Wilson	Robert Porter
1672.	Edward Jennings	Henry Dobbins
1673.	Edward Phelps	Thomas Hale
1674.	Nicholas Steight	John Mann
1675.*	Conway Whithorn	Philip Hilley, jun.
1676.	Thomas Kings	Samuel Smith
1677.	Richard Smithsend	Samuel Hawling
1678.	Thomas Nanfan	Henry Hatton
1679.	Theophilus Holland	Joseph Jones
1680.†	Thomas Hale	Thomas Bartholomew
1681.	Henry Dobbins	William Jennings
1682.	Thomas Nanfan	William Jones
1683.	John Mann	William Saunders
1684.‡	Philip Hilley	Thomas Nanfan
1685.	Nicholas Steight	Anthony Aston

Buggin, John Croft, Bartholomew Reade, Henry Symonds and Richard Yarrow, were removed from the common council; and Conway Whithorn, Thomas Nanfan, Thomas Jeynes, John Mann the younger, George Jeynes, Nicholas Steight, Richard Smithsend, Thomas Kings and Thomas Smithsend, were placed in their stead. Edward Wilson was made bailiff in place of Philip Surman; and Edward Jennings was made justice in lieu of John Carver. Richard Hill was removed from the office of town-clerk, and George Jeynes placed in his stead. At the investigation into the conduct of the parties, previously to their removal, Lord Herbert, the lord-lieutenant of the county, was present; and Richard Dowdeswell, esq. was one of the commissioners.

* 1675.—The common council ordered, that the bailiffs and bailiffs elect, with the chamberlain and town-clerk, should repair to Clifford Chambers, on the 1st of Nov. “and then and there lay claim to and make use of the privileges of hawking, hunting, fishing, fowling, &c. within the manor of Clifford Chambers aforesaid, appertaining to the bailiffs, burgesses and commonalty of this corporation;” and that the expense thereof should be defrayed out of the public stock, provided it did not exceed £3.

† At the election of bailiffs, in 1680, Mr. Richard Cooke was chosen senior bailiff, but refused to serve, and was fined £25. Mr. Robert Porter was then elected, and paid the same penalty to be excused. Mr. Thomas Hale also refused, on being chosen, and was fined; but he subsequently consented to accept the office.

‡ Major Nanfan and Mr. Philip Hilley, bailiffs, both died while in office. The Nanfans of Tewkesbury were a branch of the highly respectable family, of that name, which was for many generations settled at Birtsmorton.

Mayors, under the Charter of James the Second.

1686. Charles Hancock, esq.*	1689. Thomas Jeynes, gent.
1686. William Saunders, gent.	1690. Ditto.
1687. John Mann, gent.†	1691. Ditto.
1688. Thomas Hitchman, gent.‡	

Bailiffs, under the Charter of William the Third.

1698. Joseph Jones, gent.	Henry Dobbins, gent.
1699. Thomas Bartholomew, gent.	William Steight, gent.
1700. William Jones, gent.	Nicholas Wrenford, gent.
1701. William Wilson, gent.	Francis Laight, gent.
Edward Laight, gent. vice F. Laight, deceased.	
1702. Theophilus Holland, gent.	John Jeynes, gent.
1703. George Moore, gent.	Thomas Hale, gent.
1704. Thomas Warkman, gent.	Abraham Farren, gent.
1705. Joseph Jones, sen. gent.	Edward Laight, gent.

* Mr. Hancock was mayor only a few months, having entered upon his office on the 8th of July, and his successor being elected in October.

† A clause, in James the second's charter, empowered the king in council to remove any of the officers of the corporation, and this power was frequently exercised. In Dec. 1687, pursuant to his majesty's mandate, Mr. Thomas Hitchman, Mr. Thomas Skey, Mr. William Millington, Mr. John Lane and Mr. Henry Collet, were elected and sworn of the common council; Mr. Thomas Hitchman was elected mayor, in the place of Mr. John Mann; Mr. Henry Collet was elected an alderman, and Mr. Thomas Symes, town-clerk, in the room of Mr. James Simpson; and Mr. William Millington was elected chamberlain, in the room of Mr. William Jennings. By virtue of another mandate, in a few weeks afterwards, Mr. Thomas Jeynes and Mr. Philip Surman were elected of the common council, and also aldermen and justices of the peace; and Mr. Thomas Clarke was elected one of the common council.—In obedience to another mandate, from the king, in the succeeding month, Mr. Henry Dobbins and Mr. William Pay were elected of the common council.

‡ In June 1688, Mr. Richard Teynton, of the Berrow, in the county of Worcester, was elected town-clerk and clerk of the peace of the borough of Tewkesbury, in the room of Mr. Thomas Symes, deceased, on condition that he paid £.10 per annum to the chamber, so long as he should continue in such offices.—In October following, by direction of the king's mandamus, Mr. Henry Fowler was elected town-clerk in the place of Mr. Richard Teynton.—In Feb. 1689, Mr. Richard Teynton, the lately deposed town-clerk, was again sworn into the same office, in the room of Mr. Henry Fowler.—In the ensuing July, Mr. Thomas Warkman was elected town-clerk in the room of Mr. Richard Teynton.—Mr. Hitchman resigned the office of mayor, in July 1689, and Mr. Thomas Jeynes was elected in his place for the remainder of the year.

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| 1706. Thomas Bartholomew, gent. | Thomas Nevett, gent. |
| 1707. William Steight, gent. | Isaac Merrell, gent. |
| 1708. George Moore, gent. | Thomas Kings, gent. |
| 1709. Daniel Kemble, gent. | Joseph Smith, gent. |
| 1710. Thomas Warkman, gent. | John Clifton, gent. |
| 1711. Edward Laight, gent. | Joseph Blackburne, gent. |
| 1712. Thomas Hale, gent. | Thomas Kemmett, gent. |
| 1713. Abraham Farren, gent. | William Hayward, gent. |
| 1714. George Moore, sen. gent. | John Hawling, gent. |
| 1715. Charles Wynde, gent. | William Wilson, gent. |
| George Moore, sen. gent. vice Wynde, deceased. | |
| 1716. George Moore, sen. gent. | Joseph Smith, gent. |
| 1717. George Moore, sen. gent. | George Taylor, gent. |
| 1718. Henry Collet, esq. | George Taylor, gent. |
| 1719. Joseph Smith, gent. | Thomas Jones, gent. |
| 1720. Daniel Kemble, gent. | George Moore, jun. gent. |
| 1721. Edward Laight, gent. | John Clifton, gent. |
| 1722. Joseph Smith, gent. | Joseph Blackburne, gent. |
| 1723. George Taylor, gent. | William Hayward, gent. |
| 1724. Daniel Kemble, gent. | Thomas Kemmett, gent. |
| 1725. George Taylor, gent. | Joseph Smith, sen. gent. |
| 1726. George Moore, gent. | John Jones, gent. |
| 1727. John Hawling, gent. | John Laight, gent. |
| 1728. Thomas Jones, gent. | Thomas Hopcott, gent. |
| 1729. William Bromley, esq. | Thomas Kemble, gent. |
| 1730. Thomas Kemmett, gent. | Nathaniel Jeynes, gent. |
| 1731. Daniel Kemble, gent. | John Wilson, gent. |
| 1732. Thomas Warkman, gent. | Richard Ashwin, gent. |
| 1733. John Hawling, gent. | Samuel Rose, gent. |
| 1734. John Jones, gent. | John Blackburne, gent. |
| 1735. Thomas Kemble, gent. | William Hayward, gent. |
| 1736. George Moore, gent. | Thomas Weale, gent. |
| 1737. Thomas Hopcott, gent. | William Godsall, gent. |
| Nath. Jeynes, gent. vice Hopcott, deceased. | |
| 1738. John Jones, gent. for Lord Gage | Richard Terrett, gent. |
| 1739. John Wilson, gent. | Philip Pitt, gent. |
| 1740. Richard Ashwin, gent. | John Dobbins, gent. |
| 1741. John Hawling, gent. for Lord Coventry | Samuel Rose, gent. |
| 1742. John Blackburne, gent. | Peter Cocke, gent. |
| 1743. Thomas Weale, gent. | John Hawling, gent. |
| 1744. William Godsall, gent. | William Walker, gent. |
| 1745. William Dowdeswell, esq. | The Rev. Penry Jones |
| 1746. Philip Pitt, gent. | Edmund Lechnere, esq. |
| 1747. John Jones, gent. | George Turberville, gent. |
| 1748. Richard Terrett, gent. | John Kemmett, gent. |
| 1749. Samuel Rose, gent. | Francis Geers, M.D. |
| 1750. Henry Whitaker, gent. | John Webb, gent. |
| 1751. The Rev. Penry Jones | Lawrence Cox, gent. |
| 1752. Peter Cocke, gent. | William Clifton, gent. |

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| 1753. | George Turberville, gent. | John Havard, gent. |
| 1754. | Edmund Lechmere, esq. | Samuel Rose, gent. |
| 1755. | Henry Whitaker, gent. | John Carloss, gent. |
| 1756. | Francis Geers, M.D. | Peter Hancocke, esq. |
| 1757. | John Havard, gent. | Samuel Jeynes, gent. |
| 1758. | Charles Barrow, esq. | Neast Havard, gent. |
| 1759. | William Packer Surman, esq. | John Webb, gent. |
| 1760. | Neast Havard, gent. | Richard Bayzand, gent. |
| 1761. | John Carloss, gent. | Thomas Chinn, gent. |
| | Francis Geers, M.D. <i>vice</i> Carloss, deceased. | |
| 1762. | Samuel Jeynes, gent. | John Webb, gent. |
| 1763. | Peter Hancocke, esq. | Neast Havard, gent. |
| 1764. | Richard Bayzand, gent. | John Spilsbury, gent. |
| 1765. | Neast Havard, gent. | Richard Carloss, gent. |
| 1766. | Thomas Chinn, gent. | Marmaduke Rose, gent. |
| 1767. | Neast Havard, gent. | William Jones, gent. |
| 1768. | Charles Barrow, esq. | John Pitt, gent. |
| 1769. | John Spilsbury, gent. | Walter Dewguard, gent. |
| 1770. | John Pitt, gent. | Charles Dowdeswell, esq. |
| 1771. | William Jones, gent. | Richard Carloss, gent. |
| 1772. | Charles Dowdeswell, esq. | William Cliffe, gent. |
| 1773. | Walter Dewguard, gent. | Robert Smith, gent. |
| 1774. | Neast Havard, gent. | Samuel Jeynes, jun. gent. |
| 1775. | William Cliffe, gent. | Thomas Smith, gent. |
| | George Maxwell, esq. <i>vice</i> Smith, deceased. | |
| 1776. | Robert Smith, gent. | John Terrett, gent. |
| 1777. | Samuel Jeynes, gent. | Walter Dewguard, gent. |
| 1778. | John Terrett, gent. | Flock Roberts, gent. |
| 1779. | Neast Havard, gent. | Thomas Woollams, gent. |
| 1780. | Samuel Jeynes, gent. | Merrett Hartelbury, gent. |
| 1781. | Thomas Woollams, gent. | Charles Hancock, gent. |
| 1782. | Flock Roberts, gent. | Robert Smith, gent. |
| 1783. | Charles Hancock, gent. | William Mew, gent. |
| 1784. | John Terrett, gent. | Richard Jenkins, gent. |
| 1785. | Neast Havard, gent. | Omwel Lloyd, gent. |
| 1786. | Richard Jenkins, gent. | Michael Procter, gent. |
| 1787. | John Darke, esq. | Henry Fowke, gent. |
| 1788. | Omwel Lloyd, gent. | William Dowdeswell, esq. |
| 1789. | John Pitt, gent. | Wm. M. Hartelbury, gent. |
| 1790. | Michael Procter, gent. | Thomas Brown, gent. |
| 1791. | Henry Fowke, gent. | George Phelps, esq. |
| 1792. | Thomas Brown, gent. | Rev. Joseph Robinson |
| 1793. | William Merrett Hartelbury, gent. | Henry Fowke, gent. |
| 1794. | George Phelps, esq. | Richard Jenkins, gent. |
| 1795. | Rev. Joseph Robinson | William Buckle, esq. |
| 1796. | Thomas Woollams, gent. | Henry Fowke, gent. |
| 1797. | John Darke, esq. | Richard Jenkins, gent. |
| 1798. | Omwel Lloyd, gent. | Henry Fowke, gent. |
| 1799. | Michael Procter, gent. | Thomas Dowdeswell, esq. |

1800.	Wm. Merrett Hartelbury, gent.	Wm. George Maxwell, clerk
1801.	Thomas Dowdeswell, esq.	Omwel Lloyd, gent.
1802.	Samuel Trueman, gent.	John Pitt Nind, gent.
1803.	Wm. George Maxwell, clerk	Thomas Cooper, gent.
1804.	Thomas Dowdeswell, esq.	Omwel Lloyd, gent.
1805.	John Pitt Nind, gent.	Thomas Vernon, gent.
1806.	John Terrett, gent.	Joseph Wickes, gent.
1807.	Henry Fowke, gent.	Thomas Woollams, gent.
1808.	Thomas Cooper, gent.	Michael Procter, gent.
1809.	Thomas Vernon, esq.	James Kingsbury, esq.
1810.	Joseph Wickes, esq.	Anthony Lechmere, esq.
1811.	Wm. George Maxwell, clerk	John Martin, esq.
1812.	Michael Procter, esq.	Henry William Harris, esq.
1813.	James Kingsbury, esq.	Richard Alcock, esq.
1814.	William Dowdeswell, esq.	William Prosser, clerk
1815.	Henry Fowke, esq.	Benjamin Holland, esq.
1816.	Anthony Lechmere, esq.	Charles Edward Chandler, esq.
1817.	Thomas Vernon, esq.	James Gorle, esq.
1818.	Henry William Harris, esq.	Joseph Boughton, esq.
1819.	Richard Alcock, esq.	Edmund Warden Jones, gent.
1820.	Wm. George Maxwell, clerk	Edward Brydges, gent.
1821.	Benjamin Holland, esq.	Joseph Longmore, esq.
1822.	James Gorle, esq.	Robert Young, esq.
1823.	Joseph Boughton, esq.	William George Maxwell, clerk
1824.	William Prosser, clerk	James Kingsbury, esq.
	Michael Procter, esq. rice	Kingsbury, deceased.
1825.	Edward Brydges, esq.	William Procter, esq.
1826.	Edmund Warden Jones, esq.	Charles White, clerk
1827.	Joseph Longmore, esq.	Lewis Goodin Senior, esq.
1828.	Robert Young, esq.	Thomas Taylor, esq.
1829.	Lewis Goodin Senior, esq.	George Edmunds Williams, esq.

No. 32.

[Chapter 15.—Page 213.]

Tewkesbury Court of Record.

CONCEIVING this court to be of great importance to every inhabitant of the borough, we have subjoined the following epitome of its practice.

The charter of the borough directs that the bailiffs “shall keep the pleas of all and all manner of debts, trespasses and personal actions, proceeding from within the liberty of the borough aforesaid, so that they do not exceed the sum of fifty pounds of lawful money of England.”

touching and concerning the nomination, election, ordination, government, punishment, expulsion, removal and direction, of the said free grammar-school, the master and usher of the same school, and the scholars in the same school being; and concerning and touching the ordination, government, dismissal, location, disposition, recovery, defence and preservation, of the manors, messuages, lands, tenements, possessions, hereditaments, goods and chattels, to be given, granted or assigned, to the maintenance of the aforesaid grammar-school. Which statutes and ordinances, so to be made, we will and ordain, and for us, our heirs and successors, do command, from time to time inviolably to be observed for ever; so nevertheless that the aforesaid statutes and ordinances, so as aforesaid to be made, or any of them, are not repugnant or contrary to the laws, statutes, rights, or customs, of this our kingdom of England.

And farther, of our more abundant special grace, certain knowledge and mere motion, we have given and granted, and by these presents, for us, our heirs and successors, do give and grant, to the aforesaid governors of the goods, possessions and revenues, of the aforesaid free grammar-school of the aforesaid William Ferrers, in Tewkesbury, in the county of Gloucester, and their successors, liberty, special free will, power, faculty and authority, to have, purchase, receive and possess, to them and their successors for ever, for the perpetual sustenance and maintenance of the free grammar-school aforesaid, manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, rents, reversions and services, and other hereditaments whatsoever, within our kingdom of England, or any where within our dominions, as well from our heirs and successors, as from any other person or persons whatsoever, so that the same manors, messuages, lands, tenements, meadows, pastures, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments, do not exceed in the whole the clear yearly value of £.30 per annum, besides all charges and reprises.

And we do also give and grant, for us, our heirs and successors, by these presents, to every of our subjects, our heirs and successors whatsoever, special and free liberty and power, faculty and authority, that they and every of them may give, grant, sell, lease or alien, manors, messuages, lands, tenements, meadows, pastures, feedings, woods, underwoods, rectories, tithes, rents, reversions, services, and other hereditaments whatsoever, to the aforesaid governors of the goods, possessions and revenues, of the aforesaid free grammar-school of William Ferrers, in Tewkesbury, in the county of Gloucester, and their successors; so nevertheless that all the aforesaid manors, messuages, lands, tenements, meadows, pastures, feedings, woods, underwoods, rectories, tithes, rents, reversions and services, and other hereditaments, so as aforesaid to be given, granted, leased or aliened, to the same governors and their successors, by virtue of these presents, do not exceed in the whole the clear yearly value of £.30, besides burthens and reprises.

We will also, and by these presents, for us, our heirs and successors, do grant to the aforesaid bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, that these our letters patent, and all and singular things in them contained, shall stand and be good, firm, valid, sufficient and effectual, in the law; and that all and singular things, in these presents expressed and specified, may be expounded, declared, construed, interpreted and adjudged, as well to the sense and intention, as to the words, most kindly, favourably, graciously, and for the profit and benefit of those bailiffs, burgesses and commonalty of the borough aforesaid, and their successors, towards us, our heirs and successors.

In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster, the thirteenth day of July, in the tenth year of our reign.

No. 30.

[Chapter 15.—Page 212.]

High Stewards, Recorders, Town Clerks, Coroners, and Chamberlains,

UNDER THE PRESENT CHARTER.

High Stewards.

- 1698. Algernon, Earl of Essex.
- 1710. Thomas, Earl of Wharton.
- 1715. Charles Howard, Earl of Carlisle.
- 1716. Duke of Portland, in lieu of the Earl of Carlisle, who refused or neglected to accept the office.
- 1728. William, Earl of Essex.
- 1743. William, Lord Deerhurst, son of William, Earl of Coventry.*
- 1744. George William, Lord Deerhurst, brother of the above, and afterwards sixth Earl of Coventry.
- 1810. George William, seventh and present Earl of Coventry.

* Three individuals of this noble family were high stewards of Tewkesbury under former charters. Thomas, second Lord Coventry, eldest son of the Lord Keeper Coventry, was high steward until his death, which occurred in 1661. George, the third baron, was appointed his successor; and at the death of the latter, in 1680, John, the fourth Lord Coventry, was chosen to the same office.

Recorders.

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| 1698. Robert Tracy, esq.* | 1777. Sir Charles Barrow, bart. |
| 1735. William Bromley, esq. | 1787. William Dowdeswell, esq.† |
| 1756. The Hon. Robert Harley. | 1798. John Edmund Dowdeswell, |
| 1760. Nicholas Hyett, esq. | esq. |

Town Clerks and Coroners.

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|----------------------------|---------------------------------|
| 1698. Henry Collet, esq. | 1767. Neast Havard, esq. |
| 1715. Thomas Warkman, esq. | 1787. Henry Fowke, esq. |
| 1733. George Taylor, esq. | 1818. Edmund Warden Jones, esq. |
| 1735. Henry Whitaker, esq. | |

Chamberlains.

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|----------------------------------|----------------------------------|
| 1698. William Wilson, esq. | 1792. Thomas Woollams, esq. |
| 1728. Nathaniel Jeynes, esq. | 1804. Omwell Lloyd, esq. |
| 1738 to 1756. The senior Bailiff | 1811. Henry William Harris, esq. |
| 1757. John Havard, esq. | 1813. Joseph Boughton, esq. |
| 1771. John Pitt, esq. | 1827. Thomas Vernon, esq. |

* The death of Judge Tracy is thus recorded in the Gloucester Journal of Sept. 23d, 1735:—

“ At his seat in Gloucestershire, aged near fourscore, Robert Tracy, esq. who was made one of the justices of the court of common-pleas in the reign of King William, in which post he continued all the reign of Queen Anne and King George I. But on his present majesty's accession to the throne, his patent was not renewed. He was of a very ancient family in Gloucestershire, being descended by a second ventre from Robert Viscount Tracy, (son and heir of John the first Viscount,) who represented the county of Gloucester in several parliaments in the life-time of his father; and was knighted by King James I. The judge married Anne, eldest daughter of William Dowdeswell, of Pull Court, in Worcestershire, esq. by whom he had three sons, Robert, Richard, and William, all of whom are dead; but the eldest son has left a son, who is in his minority, and heir to his grandfather. The judge had also two daughters; Anne, married first to Charles Dowdeswell, of Forthampton-Court, in Gloucestershire, esq. and is now the wife of Thomas Wylde, esq. who represented the city of Worcester in several parliaments, and is now one of the commissioners of the excise; and Dorothy, his youngest daughter, who is dead, married ——— Pratt, esq. son and heir of the Lord Chief Justice Pratt. Mr. Justice Tracy was a complete gentleman, and a good lawyer; of a clear head, and an honest heart; and was remarkable for delivering his opinion with that genteel affability and integrity, that even those that lost a cause were charmed with his behaviour; he was a true friend to his country, would never stoop to do mean and little offices, nor ever made himself a tool to a party; by which means he lived respected by all, and has died universally lamented.”

† Wm. Dowdeswell, esq. was son of Dr. Dowdeswell, of Chaceley, and nephew to the Right Hon. Wm. Dowdeswell, chancellor of the exchequer.

No. 31.

[Chapter 15.—Page 213.]

Bailiffs of Tewkesbury, under the Charters of Elizabeth and James the First.

1574.	Thomas Perkins	Thomas Geest
1575.	Nicholas Greenwood	Kenelm Cotterell
1576.	William Hill	Thomas Crump
1577.	Richard Pace	William Wakeman
1578.	Edward Leight	John Leight
1579.	Hugh Sclicer	Richard Rydgesdale
1580.	George Morrey	Henry Dowle
1581.	Roger Turberville	Richard Eckingsall
1582.	Thomas Crump	Richard Clark
1583.	Nicholas Greenwood	John Rice
1584.	William Hill	William Willis
1585.	Richard Pace	Thomas Geest
1586.	William Wakeman	Robert Milton
1587.	Edward Leight	Edward Aye
1588.	Kenelm Cotterell	Richard Cotton
1589.	John Barston	William Fowlk
1590.	John Millington	John Mann
1591.	William Willis	John Hazard
1592.	Thomas Geest	John Hodges
1593.	Edward Aye	John Bubb
1594.	Kenelm Cotterell	John Butler
1595.	George Connard	George Morrey
1596.	Richard Cotton	Thomas Hilley
1597.	William Fowlk	William Johnson
1598.	Edmund Balthrop	Henry Tovey
1599.	Henry Tovey	Thomas Carelous
1600.	Edward Aye	William Turberville
1601.	George Morrey	John Bradford
1602.	Conon Richardson	John Vicaridge
1603.	Thomas Hilley	William Parsons
1604.	Thomas Hilley	William Parsons
1605.	William Johnson	Richard Butler
1606.	Thomas Lancaster	William Rayer
1607.	William Turberville	William Phelps
1608.*	George Morrey	John Cooke

* At the election of officers, in 1608, William Turberville and William Phelps, the old bailiffs, wishing to continue in office another year, absented themselves from the common council; but their project failed, for in consequence of their neglect, they were wholly expelled the body corporate.

1609.	John Cooke	William Hitches
1610.	Conon Richardson	Richard Bradford
1611.	John Vicaridge	John Scullove
1612.	William Johnsons	John Slaughter
1613.	Thomas Hilley	Thomas Deakins
1614.	William Parsons	John Underhill
1615.	William Hitches	George Morrey
1616.	Richard Bradford	John Hill
1617.*	John Vicaridge	William Hill
1618.†	John Cooke	Thomas Vaughan
1619.‡	John Slaughter	Edward Tovey
1620.	Conon Richardson	Richard Wheeler
1621.§	William Hitches	John Packer
1622.	Richard Bradford	William Whitledge
1623.	William Cowles	Edward Millichap
1624.	Thomas Vaughan	Kenelm Mearston
1625.	John Slaughter	George Shaw
1626.	Richard Wheeler	Christopher Canner
1627.	John Packer	Thomas Hale
1628.	William Hitches	Edward Millichap
1629.	Richard Bradford	Edward Phelps
1630.	William Whitledge	Michael Millington
1631.	Thomas Vaughan	Roger Plevy
1632.	Kenelm Mearston	Thomas Clarke
1633.	George Shaw	Giles Harmar
1634.	Christopher Canner	William Terrett
1635.	John Packer	John Mann
1636.	Thomas Hale	Thomas Bennett
1637.	William Whitledge	William Crooke

* Although Mr. John Vicaridge repeatedly served the highest offices in the corporation, he was incapable of writing even his own name.

† In 1618, the junior bailiff sued the elder for misbehaviour in his office. The offence is not explicitly stated, but it appears to have been relative to the mustering of the townspeople when "a huge navy of Spaniards appeared."

‡ In 1619, on the death of John Cooke, who had retained the office of chamberlain of the borough by patent during his life, it was determined to elect one of the body corporate to that office annually, and Richard Bradford was accordingly sworn in chamberlain for that year only.

§ In 1621, the bailiffs had for the first time the entire custody of the borough gaol.

|| There were six principal burgesses and ten assistants elected in the year 1636, which was a greater number than was ever before admitted in so short a period. The fees were so considerable, that they were given to the poor, in December 1638.

1638.*	William Wilson	John Snell
1639.†	Roger Plevy	Thomas Hale
1640.	Edward Millichap	Robert Jennings
1641.	Kenelm Mearston	John Sclicer
1642.	Thomas Clarke	Thomas Carte
1643.	William Whitledge	Theophilus Aley
1644.	Thomas Hale, sen.	Robert Jennings
1645.	William Crooke	Thomas Skey
1646.	William Wilson	John Millington
1647.	Thomas Hale	Edward Jennings
1648.	John Mann	Christopher Atkinson
1649.‡	John Sclicer	John Carver

* In the bye-laws of the corporation, made in 1638, it was agreed, that every person, on being elected a principal burgess, should give a good dinner to the principal burgesses, the assistants, and their wives, or forfeit £.6. 13s. 4d.; that, on the election of assistants, two of them, joining together, should give a dinner to the principal burgesses and assistants, without their wives, or forfeit five nobles; and that every person, on being elected and sworn low bailiff, should give a banquet to the principal burgesses and assistants, and their wives, or forfeit £.13. 6s. 8d. A former order made it imperative upon the high bailiff to give a feast.

† In 1639, the bailiffs and two senior justices were, for the first time, appointed deputy lieutenants for the town and parish of Tewkesbury.

‡ In 1649, Christopher Atkinson, one of the late bailiffs, who was attached to the commonwealth interest, and twenty-one other inhabitants, petitioned parliament against the proceedings of the common council, in nominating John Slicer and Richard Berrow to be bailiffs, both of whom the petitioners accused of being disaffected to the existing government; praying that Sir William Constable, the honourable governor of Gloucester, and Colonel Harrison, major-general of these parts, both members of the House of Commons, might be empowered to hear and examine the premises upon oath, with liberty to abridge the number of the common-council, and to reform and regulate the government of the borough, by displacing the disaffected, and placing others in their stead. The House ordered the petition to be referred to Sir William Constable, knight, governor of Gloucester, Robert Holmes, of Netherton, and Giles Hancock, of Cirencester, esqrs. justices of the peace for the county of Gloucester, to examine witnesses, and to report to the committee of the House, on the 2d of February: the complaint to be heard on the 13th of the same month, when all the parties were to attend. The bailiffs, justices, common council, and burgesses, petitioned that William Leigh, William Shepherd and Sylvanus Wood, esqrs. justices of the peace for the county, might be added to the other justices appointed, and with this request the House acquiesced. In Dec. 1649, two of the commissioners, Mr. Holmes and Mr. Hancock, came to Tewkesbury, and the whole matter was referred to four members of the parliament, viz. Alderman Pennington and Sir Henry Mildmay, named by the complainants, and Colonel John Venn and Mr. Luke Hodges, nominated

1650.	William Hill	John Bach
1651.	William Crooke	Thomas Clarke
1652.	Robert Jennings	Philip Hilley
1653.	John Millington	Christopher Smith
1654.	Thomas Hale	Edward Wilson
1655.*	William Croft	Edward Phelps
1656.	John Bach	William Hatton
1657.	Thomas Clarke	Thomas Jeynes
1658.	Thomas Clarke	Thomas Jeynes
1659.	Christopher Smith	Andrew Woollams
1660.†	John Carver	John Dobbins
1661.	Philip Hilley	Philip Surman
1662.‡	Edward Jennings	John Mann
1663.	Edward Wilson	Nicholas Steight

by the defendants, to treat with all parties concerned touching the regulation of the corporation, and to consider of the liberties and privileges of the town, and the renewing of the charter, and a petition to parliament was accordingly prepared. The bailiffs and fifteen others of the common council then signed an appointment and authority to Thomas Bulstrode, esq. the recorder, and Richard Dowdeswell, gent. to attend their referees in parliament on all subjects relative to the borough. Nothing further however appears to have been done in the affair.

* It appears, by the following extract from a letter of Major-General Disbrowe to the Protector Cromwell, dated Jan. 7, 1655, that there were some considerable changes made in the body corporate in the course of this year:—"At Bristol, intimation was given me, by some honest people, that sundry of the aldermen and justices were enemies to the public interest, retaining their old malignant principles, discountenancing the godly, and upholding the loose and profane, which indeed is a disease predominating in most corporations." After detailing how he prevailed upon the mayor to induce the obnoxious members of the Bristol corporation to resign, and "make way for honester men," he thus proceeds: "There were also articles of delinquency proved against nine of the magistrates of Tewkesbury, and particularly against Hill their town-clerk: I have also dismissed them, and four of the common council of Gloucester, for adhering to the Scotch king's interest."—*Thurloe's State Papers*, vol. iv. p. 396.

† At a chamber meeting, Nov. 23, 1660, it was ordered, in obedience to a letter from the lords of the privy council, that Mr. William Wilson, Mr. John Mann, Mr. Thomas Hale, Mr. John Sclicer, Mr. Edward Jennings, Mr. Philip Hilley, and Mr. Edward Wilson, who were ejected by General Disbrowe's order, in 1655, should be restored to their places in the corporation.

‡ In Aug. 1662, by warrant of the commissioners appointed under the great seal, pursuant to the provisions of an act of parliament for regulating corporations, Philip Surman, John Carver, William Neast, William Croft, John Bach, Thomas Clarke, William Hatton, Thomas Jeynes, Robert

1664.	Edward Phelps	Thomas King
1665.	Conway Whithorn	Richard Smithsend
1666.	Thomas Nanfan	Henry Peyton
1667.	Christopher Smith	Edward Laight
1668.	George Jeynes	Theophilus Holland
1669.	Philip Hilley	Richard Cooke
1670.	John Dobbins	Thomas Palmer
1671.	Edward Wilson	Robert Porter
1672.	Edward Jennings	Henry Dobbins
1673.	Edward Phelps	Thomas Hale
1674.	Nicholas Steight	John Mann
1675.*	Conway Whithorn	Philip Hilley, jun.
1676.	Thomas Kings	Samuel Smith
1677.	Richard Smithsend	Samuel Hawling
1678.	Thomas Nanfan	Henry Hatton
1679.	Theophilus Holland	Joseph Jones
1680.†	Thomas Hale	Thomas Bartholomew
1681.	Henry Dobbins	William Jennings
1682.	Thomas Nanfan	William Jones
1683.	John Mann	William Saunders
1684.‡	Philip Hilley	Thomas Nanfan
1685.	Nicholas Steight	Anthony Aston

Buggin, John Croft, Bartholomew Reade, Henry Symonds and Richard Yarrow, were removed from the common council; and Conway Whithorn, Thomas Nanfan, Thomas Jeynes, John Mann the younger, George Jeynes, Nicholas Steight, Richard Smithsend, Thomas Kings and Thomas Smithsend, were placed in their stead. Edward Wilson was made bailiff in place of Philip Surman; and Edward Jennings was made justice in lieu of John Carver. Richard Hill was removed from the office of town-clerk, and George Jeynes placed in his stead. At the investigation into the conduct of the parties, previously to their removal, Lord Herbert, the lord-lieutenant of the county, was present; and Richard Dowdeswell, esq. was one of the commissioners.

* 1675.—The common council ordered, that the bailiffs and bailiffs elect, with the chamberlain and town-clerk, should repair to Clifford Chambers, on the 1st of Nov. “and then and there lay claim to and make use of the privileges of hawking, hunting, fishing, fowling, &c. within the manor of Clifford Chambers aforesaid, appertaining to the bailiffs, burgesses and commonalty of this corporation;” and that the expense thereof should be defrayed out of the public stock, provided it did not exceed £3.

† At the election of bailiffs, in 1680, Mr. Richard Cooke was chosen senior bailiff, but refused to serve, and was fined £25. Mr. Robert Porter was then elected, and paid the same penalty to be excused. Mr. Thomas Hale also refused, on being chosen, and was fined; but he subsequently consented to accept the office.

‡ Major Nanfan and Mr. Philip Hilley, bailiffs, both died while in office. The Nanfans of Tewkesbury were a branch of the highly respectable family, of that name, which was for many generations settled at Birtsmorton.

Mayors, under the Charter of James the Second.

1686. Charles Hancock, esq.*	1689. Thomas Jeynes, gent.
1686. William Saunders, gent.	1690. Ditto.
1687. John Mann, gent.†	1691. Ditto.
1688. Thomas Hitchman, gent.‡	

Bailiffs, under the Charter of William the Third.

1698. Joseph Jones, gent.	Henry Dobbins, gent.
1699. Thomas Bartholomew, gent.	William Steight, gent.
1700. William Jones, gent.	Nicholas Wrenford, gent.
1701. William Wilson, gent.	Francis Laight, gent.
Edward Laight, gent. vice F. Laight, deceased.	
1702. Theophilus Holland, gent.	John Jeynes, gent.
1703. George Moore, gent.	Thomas Hale, gent.
1704. Thomas Warkman, gent.	Abraham Farren, gent.
1705. Joseph Jones, sen. gent.	Edward Laight, gent.

* Mr. Hancock was mayor only a few months, having entered upon his office on the 8th of July, and his successor being elected in October.

† A clause, in James the second's charter, empowered the king in council to remove any of the officers of the corporation, and this power was frequently exercised. In Dec. 1687, pursuant to his majesty's mandate, Mr. Thomas Hitchman, Mr. Thomas Skey, Mr. William Millington, Mr. John Lane and Mr. Henry Collet, were elected and sworn of the common council; Mr. Thomas Hitchman was elected mayor, in the place of Mr. John Mann; Mr. Henry Collet was elected an alderman, and Mr. Thomas Symes, town-clerk, in the room of Mr. James Simpson; and Mr. William Millington was elected chamberlain, in the room of Mr. William Jennings. By virtue of another mandate, in a few weeks afterwards, Mr. Thomas Jeynes and Mr. Philip Surman were elected of the common council, and also aldermen and justices of the peace; and Mr. Thomas Clarke was elected one of the common council.—In obedience to another mandate, from the king, in the succeeding month, Mr. Henry Dobbins and Mr. William Pay were elected of the common council.

‡ In June 1688, Mr. Richard Teynton, of the Berrow, in the county of Worcester, was elected town-clerk and clerk of the peace of the borough of Tewkesbury, in the room of Mr. Thomas Symes, deceased, on condition that he paid £.10 per annum to the chamber, so long as he should continue in such offices.—In October following, by direction of the king's mandamus, Mr. Henry Fowler was elected town-clerk in the place of Mr. Richard Teynton.—In Feb. 1689, Mr. Richard Teynton, the lately deposed town-clerk, was again sworn into the same office, in the room of Mr. Henry Fowler.—In the ensuing July, Mr. Thomas Warkman was elected town-clerk in the room of Mr. Richard Teynton.—Mr. Hitchman resigned the office of mayor, in July 1689, and Mr. Thomas Jeynes was elected in his place for the remainder of the year.

1706. Thomas Bartholomew, gent.
 1707. William Steight, gent.
 1708. George Moore, gent.
 1709. Daniel Kemble, gent.
 1710. Thomas Warkman, gent.
 1711. Edward Laight, gent.
 1712. Thomas Hale, gent.
 1713. Abraham Farren, gent.
 1714. George Moore, sen. gent.
 1715. Charles Wynde, gent.
 George Moore, sen. gent. *vice* Wynde, deceased.
 1716. George Moore, sen. gent.
 1717. George Moore, sen. gent.
 1718. Henry Collet, esq.
 1719. Joseph Smith, gent.
 1720. Daniel Kemble, gent.
 1721. Edward Laight, gent.
 1722. Joseph Smith, gent.
 1723. George Taylor, gent.
 1724. Daniel Kemble, gent.
 1725. George Taylor, gent.
 1726. George Moore, gent.
 1727. John Hawling, gent.
 1728. Thomas Jones, gent.
 1729. William Bromley, esq.
 1730. Thomas Kemmett, gent.
 1731. Daniel Kemble, gent.
 1732. Thomas Warkman, gent.
 1733. John Hawling, gent.
 1734. John Jones, gent.
 1735. Thomas Kemble, gent.
 1736. George Moore, gent.
 1737. Thomas Hopcott, gent.
 Nath. Jeynes, gent. *vice* Hopcott, deceased.
 1738. John Jones, gent. for Lord Gage
 1739. John Wilson, gent.
 1740. Richard Ashwin, gent.
 1741. John Hawling, gent. for Lord Coventry
 1742. John Blackburne, gent.
 1743. Thomas Weale, gent.
 1744. William Goddall, gent.
 1745. William Dowdeswell, esq.
 1746. Philip Pitt, gent.
 1747. John Jones, gent.
 1748. Richard Terrett, gent.
 1749. Samuel Rose, gent.
 1750. Henry Whitaker, gent.
 1751. The Rev. Penry Jones
 1752. Peter Cocks, gent.
 Thomas Nevett, gent.
 Isaac Merrell, gent.
 Thomas Kings, gent.
 Joseph Smith, gent.
 John Clifton, gent.
 Joseph Blackburne, gent.
 Thomas Kemmett, gent.
 William Hayward, gent.
 John Hawling, gent.
 William Wilson, gent.
 Joseph Smith, gent.
 George Taylor, gent.
 George Taylor, gent.
 Thomas Jones, gent.
 George Moore, jun. gent.
 John Clifton, gent.
 Joseph Blackburne, gent.
 William Hayward, gent.
 Thomas Kemmett, gent.
 Joseph Smith, sen. gent.
 John Jones, gent.
 John Laight, gent.
 Thomas Hopcott, gent.
 Thomas Kemble, gent.
 Nathaniel Jeynes, gent.
 John Wilson, gent.
 Richard Ashwin, gent.
 Samuel Rose, gent.
 John Blackburne, gent.
 William Hayward, gent.
 Thomas Weale, gent.
 William Goddall, gent.
 Richard Terrett, gent.
 Philip Pitt, gent.
 John Dobbins, gent.
 Samuel Rose, gent.
 Peter Cocks, gent.
 John Hawling, gent.
 William Walker, gent.
 The Rev. Penry Jones
 Edmund Lechmere, esq.
 George Turberville, gent.
 John Kemmett, gent.
 Francis Geers, M. D.
 John Webb, gent.
 Lawrence Cox, gent.
 William Clifton, gent.

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|-------|---|---------------------------|
| 1753. | George Turberville, gent. | John Havard, gent. |
| 1754. | Edmund Lechmere, esq. | Samuel Rose, gent. |
| 1755. | Henry Whitaker, gent. | John Carloss, gent. |
| 1756. | Francis Geers, M.D. | Peter Hancocke, esq. |
| 1757. | John Havard, gent. | Samuel Jeynes, gent. |
| 1758. | Charles Barrow, esq. | Neast Havard, gent. |
| 1759. | William Packer Surman, esq. | John Webb, gent. |
| 1760. | Neast Havard, gent. | Richard Bayzand, gent. |
| 1761. | John Carloss, gent. | Thomas Chinn, gent. |
| | Francis Geers, M.D. vice Carloss, deceased. | |
| 1762. | Samuel Jeynes, gent. | John Webb, gent. |
| 1763. | Peter Hancocke, esq. | Neast Havard, gent. |
| 1764. | Richard Bayzand, gent. | John Spilsbury, gent. |
| 1765. | Neast Havard, gent. | Richard Carloss, gent. |
| 1766. | Thomas Chinn, gent. | Marmaduke Rose, gent. |
| 1767. | Neast Havard, gent. | William Jones, gent. |
| 1768. | Charles Barrow, esq. | John Pitt, gent. |
| 1769. | John Spilsbury, gent. | Walter Dewguard, gent. |
| 1770. | John Pitt, gent. | Charles Dowdeswell, esq. |
| 1771. | William Jones, gent. | Richard Carloss, gent. |
| 1772. | Charles Dowdeswell, esq. | William Cliffe, gent. |
| 1773. | Walter Dewguard, gent. | Robert Smith, gent. |
| 1774. | Neast Havard, gent. | Samuel Jeynes, jun. gent. |
| 1775. | William Cliffe, gent. | Thomas Smith, gent. |
| | George Maxwell, esq. vice Smith, deceased. | |
| 1776. | Robert Smith, gent. | John Terrett, gent. |
| 1777. | Samuel Jeynes, gent. | Walter Dewguard, gent. |
| 1778. | John Terrett, gent. | Flock Roberts, gent. |
| 1779. | Neast Havard, gent. | Thomas Woollams, gent. |
| 1780. | Samuel Jeynes, gent. | Merrett Hartelbury, gent. |
| 1781. | Thomas Woollams, gent. | Charles Hancock, gent. |
| 1782. | Flock Roberts, gent. | Robert Smith, gent. |
| 1783. | Charles Hancock, gent. | William Mew, gent. |
| 1784. | John Terrett, gent. | Richard Jenkins, gent. |
| 1785. | Neast Havard, gent. | Omwel Lloyd, gent. |
| 1786. | Richard Jenkins, gent. | Michael Procter, gent. |
| 1787. | John Darke, esq. | Henry Fowke, gent. |
| 1788. | Omwel Lloyd, gent. | William Dowdeswell, esq. |
| 1789. | John Pitt, gent. | Wm. M. Hartelbury, gent. |
| 1790. | Michael Procter, gent. | Thomas Brown, gent. |
| 1791. | Henry Fowke, gent. | George Phelps, esq. |
| 1792. | Thomas Brown, gent. | Rev. Joseph Robinson |
| 1793. | William Merrett Hartelbury, gent. | Henry Fowke, gent. |
| 1794. | George Phelps, esq. | Richard Jenkins, gent. |
| 1795. | Rev. Joseph Robinson | William Buckle, esq. |
| 1796. | Thomas Woollams, gent. | Henry Fowke, gent. |
| 1797. | John Darke, esq. | Richard Jenkins, gent. |
| 1798. | Omwel Lloyd, gent. | Henry Fowke, gent. |
| 1799. | Michael Procter, gent. | Thomas Dowdeswell, esq. |

1800.	Wm. Merrett Hartelbury, gent.	Wm. George Maxwell, clerk
1801.	Thomas Dowdeswell, esq.	Omwel Lloyd, gent.
1802.	Samuel Trueman, gent.	John Pitt Nind, gent.
1803.	Wm. George Maxwell, clerk	Thomas Cooper, gent.
1804.	Thomas Dowdeswell, esq.	Omwel Lloyd, gent.
1805.	John Pitt Nind, gent.	Thomas Vernon, gent.
1806.	John Terrett, gent.	Joseph Wickes, gent.
1807.	Henry Fowke, gent.	Thomas Woollams, gent.
1808.	Thomas Cooper, gent.	Michael Procter, gent.
1809.	Thomas Vernon, esq.	James Kingsbury, esq.
1810.	Joseph Wickes, esq.	Anthony Lechmere, esq.
1811.	Wm. George Maxwell, clerk	John Martin, esq.
1812.	Michael Procter, esq.	Henry William Harris, esq.
1813.	James Kingsbury, esq.	Richard Alcock, esq.
1814.	William Dowdeswell, esq.	William Prosser, clerk
1815.	Henry Fowke, esq.	Benjamin Holland, esq.
1816.	Anthony Lechmere, esq.	Charles Edward Chandler, esq.
1817.	Thomas Vernon, esq.	James Gorle, esq.
1818.	Henry William Harris, esq.	Joseph Boughton, esq.
1819.	Richard Alcock, esq.	Edmund Warden Jones, gent.
1820.	Wm. George Maxwell, clerk	Edward Brydges, gent.
1821.	Benjamin Holland, esq.	Joseph Longmore, esq.
1822.	James Gorle, esq.	Robert Young, esq.
1823.	Joseph Boughton, esq.	William George Maxwell, clerk
1824.	William Prosser, clerk	James Kingsbury, esq.
	Michael Procter, esq. rice	Kingsbury, deceased.
1825.	Edward Brydges, esq.	William Procter, esq.
1826.	Edmund Warden Jones, esq.	Charles White, clerk
1827.	Joseph Longmore, esq.	Lewis Goodin Senior, esq.
1828.	Robert Young, esq.	Thomas Taylor, esq.
1829.	Lewis Goodin Senior, esq.	George Edmunds Williams, esq.

No. 32.

[Chapter 15.—Page 213.]

Tewkesbury Court of Record.

CONCEIVING this court to be of great importance to every inhabitant of the borough, we have subjoined the following epitome of its practice.

The charter of the borough directs that the bailiffs “shall keep the pleas of all and all manner of debts, trespasses and personal actions, proceeding from within the liberty of the borough aforesaid, so that they do not exceed the sum of fifty pounds of lawful money of England.”

The court of record is holden every Friday, at the Tolzey, before the bailiffs, or either of them, and the recorder, or his sufficient deputy, and on that day all process is returnable; but for the issuing, filing, and transacting the routine of its proceedings, the town clerk's office is open every day in the week.

The mode of proceeding is by summons, in the nature of a *capias*. The plaintiff, by his attorney, files, as in the superior courts, a *præcipe*, and warrant to sue; whereupon a summons issues, directed to the sergeants at mace, one of whom serves a copy personally on the defendant; and service on the Thursday, or before the sitting of the court on Friday, is held good. It may be here proper to observe, that the court formerly used, in the first instance, to arrest and hold to bail; however, pursuant to some high legal opinions, taken on the subject some years ago, the practice is now never to issue aailable *capias*, except in default of appearance to the summons previously issued and returned.

The defendant, having been summoned, must enter his appearance by the next court day after the return of the summons, or, in default, the plaintiff appears for him, according to the statute; and the plaintiff is then entitled to file his declaration, giving notice to the defendant to plead thereto by the next court day, that is, the second court day from the return of the summons. Unless, therefore, before the then following court day, a plea is filed, the plaintiff may sign final or interlocutory judgment, as the nature of the action may require. Thus the plaintiff may obtain his judgment by default in three weeks. In this, however, as in other courts, the defendant has an opportunity of delaying the plaintiff—he is allowed to take out three rules for time to plead, which would delay three weeks; the plaintiff is also allowed three rules for time to declare, occupying a similar period. The plaintiff, on the court day when the defendant's time to plead expires, may give notice of executing his writ of enquiry on the following Thursday: this writ is executed before the town-clerk. When the defendant has pleaded, the plaintiff may give notice of trial on the following court day. The same writs of execution issue from this as from the superior courts; and it may be generally observed that, except in the variation of time and place, the same forms (after the summons) of declarations, notices, &c. are used in this as in the superior courts.

The proceedings of the court are regularly recorded in the court book, and are, from the commencement of the charter, in perfect existence in the town clerk's office.

No. 83.

[Chapter 15.—Page 215.]

Fairs and Great Markets.

At a public Meeting of Farmers, Graziers, and other persons interested in the Fairs and Markets of Tewkesbury, (convened by the Bailiffs, pursuant to a resolution of the Common Council of the Borough,) held at the Tolzey, on Wednesday, the 26th day of September, 1827,

E. W. JONES, Esq. High Bailiff, in the Chair:

It was unanimously Resolved,

That the March Fair shall be held on the second Monday in the month, as heretofore.

That the Fair usually held on the first Wednesday in April, old style, shall in future be held on the second Wednesday in April, according to the present style.

That the May Fair shall continue to be held on the 14th of the month.

That the Fair on the 22d of June be discontinued, in consequence of a Great Market being held in that month.

That the Fair hitherto held on the 4th of September shall in future be held on the first Wednesday after the 4th of September, for the sale of cheese, wool, &c. as well as for cattle and other live stock.

That the October Fair shall as heretofore be held on the 10th of the month; and that there be Mops for hiring Servants on the Wednesday before and the Wednesday after the said 10th of October, as formerly.

That Great Markets, for the sale of cattle and other live stock, be held on the second Wednesdays in June, August and December, (the latter to be in lieu of the Fair hitherto held in December.)

That the following gentlemen be appointed a committee for giving publicity to these proceedings:

Mr. John Lord	Mr. James Gorle	Mr. James Bennett
Mr. Richard Lord	Mr. Thomas Tolley	Mr. Thomas Orme
Mr. Aaron Pike	Mr. Wm. Procter	Mr. H. K. Whithorn
Mr. John New	Mr. Charles Banaster	Mr. E. G. Edgell.

E. W. JONES, Chairman.

The Fairs and Great Markets above-mentioned were, at a Meeting of the Bailiffs and Common Council of the Borough of Tewkesbury, held on the 11th instant, confirmed, and ordered to be held accordingly.

E. W. JONES, Town-Clerk.

Tewkesbury, 12th Oct. 1827.

No. 34.

[Chapter 19.—Page 262.]

*Report of the Committee of the House of Commons
on the Tewkesbury Election Petition.*

Mercurii 1mo. die Martii, 1797.

WHEREAS the select Committee, appointed to try and determine the merits of the petition of Peter Moore, esq. and Philip Francia, esq. complaining of an undue Election and Return for the Borough of Tewkesbury, in the County of Gloucester, have this day reported to the House of Commons,—

“That it appeared to the said select Committee, that the merits of the petition did, in part, depend upon the Right of Election, and that, thereupon, the said Committee, therefore, required the parties to deliver in statements in writing, of the Right of Election for which they respectively contended.

“That in consequence thereof the petitioners delivered in a statement, as follows:—

“The petitioners state, that the Right of Election, for the borough of Tewkesbury, is only in the Bailiffs, Burgesses and Commonalty of the said Borough; meaning, by the word Burgesses, such persons as are entitled to their freedom by servitude or copy; and by the word Commonalty, the inhabitant householders of the said borough.”

“That the sitting members, James Martin and William Dowdeswell, esquires, delivered in a statement, as follows:

“The Right of Election is in the Freemen of the said Borough; and in any Person seised of an Estate of Freehold, in an entire Dwelling-House, situate within the said Borough.”

“That, upon the statement delivered in by the said petitioners, the said select Committee have determined, That the Right of Election, as set forth in the said statement, is not the Right of Election for the said Borough of Tewkesbury.

“That, upon the statement delivered by the sitting members, the said select Committee have determined, That the Right of Election, as set forth in the said statement, is not the Right of Election for the said Borough of Tewkesbury.

“That the said select Committee, having duly considered the said statements, and the evidence adduced before them, touching the Right of Election, have determined,

“That the Right of Election is in the Freemen at large, and in all Persons seized of an Estate of Freehold, in an entire Dwelling-House, within the ancient limits of the said Borough.”

I do hereby give you this notice, in pursuance of the directions of the Act made in the twenty-eighth year of the reign of his present Majesty, intituled, “An Act for the further Regulation of the Trials of Controverted Elections, or Returns of Members to serve in Parliament.” Given under my hand, this first day of March, one thousand seven hundred and ninety-seven.

HENRY ADDINGTON, Speaker.

To the Returning Officers for the Borough of Tewkesbury.

No. 35.

[Chapter 19.—Page 264.]

Particulars of the public Life of the late James Martin, Esq. M.P.

THIS highly respected gentleman was born at Overbury, in Worcestershire, on the 4th of June, 1738—the identical birth-day of our late venerable sovereign, King George the third.

His father, John Martin, esq. who generally resided on his estate at Overbury, and was much esteemed for his social and benevolent disposition, was elected member for Tewkesbury in 1741, at the same time that his brother James represented the town of Cambridge, and both of them were warmly attached to Whig principles: he built a handsome house upon the estate at Overbury, which was burnt down in 1735, shortly after which he erected the present mansion: he died in 1767. His mother was Catherine, daughter of Joseph Jackson, esq. of Sneyd Park, near Bristol.

He was the youngest of three brothers, John, Joseph and James. John was a most accomplished gentleman, and was elected member for Tewkesbury in 1754: he married Judith, only daughter and sole heiress of William Bromley, esq. of Upton-upon-Severn. Joseph was first member for Gattton, and afterwards represented Tewkesbury: he succeeded his uncle in the banking-house in Lombard-street, which had been established for nearly one hundred years, and served the office of sheriff of London and Middlesex

in 1771. He had several sisters, most of whom settled in life, and formed respectable connexions: one of them married the Rev. Treadway Nash, D.D. the historian of Worcestershire, whose only daughter and sole heiress married the present Earl Somers in 1785; another married the celebrated Dr. Heberden; a third, Thomas Herbert, esq. of Mucruss, on the banks of the Lake of Killarney; and a fourth, Sir Nicholas Carew, bart. of Beddington Hall, near Croydon.

James, the subject of this memoir, received his education first under the Rev. Matthew Bloxham, vicar of Overbury, father of the late Sir Matthew Bloxham, alderman of London; and subsequently under the Rev. Mr. Graham, of Hackney, father of the present Judge Graham. Immediately after leaving school, he was introduced into the banking-house in Lombard-street, and as soon as he became of age, was admitted a partner.

About this period he became extremely corpulent, and the violent measures he adopted to counteract this tendency, temporarily injured his health; in order to restore it, and to gratify his inclination to visit various parts of the continent of Europe, he spent two or three years abroad. On his return to England, he purchased chambers in the Temple, and resided there until he removed to a house in Whitehall. In 1774, he married Penelope, only daughter of John Skipp, esq. of Ledbury, who was descended from a branch of the family of Dr. John Skipp, the first protestant bishop of Hereford.

Upon the death of his brother Joseph, in 1776, Mr. James Martin was elected a representative in parliament for the borough of Tewkesbury, and retained his seat in the six following parliaments. At the general election, in 1807, this upright and indefatigable senator voluntarily resigned his trust, and retired into private life.

The late Alexander Stephens, author of the "Public Characters," calls him "honest James Martin," and says, "I would to God that we had but two hundred such as the member for Tewkesbury in the Augean stable." And Sir Nathaniel Wraxall, in his "Memoirs," observes, that he, who "yielded to none in probity, invoked curses on the coalition, as the grave of all principle." Mr. Martin indeed never suffered an opportunity to escape of attacking this unnatural political union: during the debate on Mr. Fox's celebrated Bill for vesting the Affairs of the East India Company in the hands of Commissioners, in 1783, after stating that this desperate measure was to be ascribed to the ruinous effects of the late coalition, "I wish," said he, "there were a speaking starling perched upon the speaker's chair, to sound in the ears of the House, 'curst coalition!' 'curst coalition!'" This caustic exclamation entailed upon him, ever afterwards, among his political opponents, the epithet of "Starling Martin." Shakspeare has a similar idea in Henry IV. in which he says,

" I will have a starling taught to speak
" Nothing but Mortimer; and give it him,
" To keep his anger still in motion."

Few representatives in parliament ever enjoyed the confidence and esteem of their constituents equally with this gentleman, and none ever deserved it more. When he retired from the arduous duties of a legislator, even those who had most frequently differed from him on national subjects, spontaneously and eagerly came forward, with his more immediate friends, to testify their approbation of his general parliamentary conduct; and as the proceedings on that occasion were no less honourable to Mr. Martin than to those who had seven times delegated him to the important trust of representing them in parliament, it has been thought proper to preserve here the following interesting documents.

Tewkesbury, May 26, 1807.

At a Meeting of the Freemen, Burgesses, and Inhabitants of this Borough, convened by public notice from the Bailiffs, for the purpose of considering of an Address to our late Representative, James Martin, esq. expressive of our thanks for his honest, faithful, independent and conscientious conduct, during the thirty-two years he has represented this Borough in Parliament,

The worshipful the High Bailiff in the Chair:

Resolved unanimously,—That the services which have been rendered to this Borough, by our late worthy Representative, James Martin, esq. during the long and eventful period in which he has sat in the British Senate, imperiously call upon us, on his retiring from public life, to offer him our warmest acknowledgments for the anxious regard and unremitting attention which he has uniformly displayed towards the interests of his Constituents; and to express the high sense which we entertain of that sterling Independence, and inflexible Integrity, which have marked the whole of his Parliamentary Conduct, and have peculiarly characterized him as a faithful and honest Representative of the Commons of this Kingdom.

That a Piece of Plate be presented to Mr. Martin, with an appropriate inscription; and that Mr. Bailiff be requested to communicate these Resolutions to him; and to add our sincere and hearty wishes that he may long continue to experience in retirement those enjoyments, to which, by his public and private virtues, he is so eminently entitled.

Signed, at the request of the Meeting,

JOHN TERRETT, Bailiff.

St. James's-Street, May 29, 1807.

My dear Sir,—I yesterday received the favour of your letter, together with the Resolutions passed at a Meeting of the Freemen, Burgesses, and Inhabitants of Tewkesbury, on the 26th instant, and I cannot sufficiently express the happiness which I feel in having the approbation of my conduct, while I had the honour of being in Parliament, so solemnly expressed by my Constituents.

The Resolutions themselves render it almost unnecessary for me to declare, that in the discharge of my duty I never sought any other reward: during an eventful period of thirty-two years, many questions must have arisen, in which the most honest and able men entertained the most opposite opinions; and it must have frequently happened, that I have supported some measures, and opposed others, contrary to the judgment of many of those by whom I was sent to Parliament; but whenever my constituents thought proper to express any decided opinion, to that opinion I readily submitted my conduct; when left to act upon my own ideas, I can safely assert, that my constant aim was,—to guard the public purse from abuse,—to render the necessary taxes as little oppressive as possible,—to promote agriculture, manufactures, commerce, and works of public utility,—to support those principles of civil and religious freedom which are the foundation of our constitution, as established at the glorious Revolution in 1688, and which afterwards placed the House of Hanover on the throne of this country,—to promote the peace and happiness of all mankind.

These, I repeat, were the objects of all my endeavours;—had my conduct been unfortunately disapproved by my constituents, I must even then have experienced no inconsiderable share of satisfaction, arising from rectitude of intention; but uniting to that feeling, testimonies of approbation and attachment, which I have received from those who have long known me, both in private and public life, there are few who may not envy the state of my mind.

If any thing could have increased the pleasure which I experienced on the receipt of the Resolutions, it was their being communicated to me through the hands of one of my oldest, warmest, and most zealous friends. I shall esteem myself further obliged, by your making known my thanks and sentiments on this occasion, in any way you, my dear friend, may think the most proper: I have only to add, that the warmest wish of my heart is, that the Electors of Tewkesbury may obtain that,—which their own pure and uncorrupt conduct, on all occasions, has fairly entitled them to,—I mean, Representatives more able and as faithfully attached to their interest, as

Yours sincerely,

JAMES MARTIN.

To John Terrett, esq. Bailiff of Tewkesbury.

The Vase, which was very elegant, was executed by one of the first silver-smiths in London, and bore the following inscription:

“The Burgesses and Inhabitants of the Borough of Tewkesbury, at a public Meeting, held on the 26th day of May, in the year 1807, unanimously voted, that this Vase should be presented to JAMES MARTIN, esquire, upon his retiring from their Parliamentary Service, as a small testimony of respect and regard for that Independence and Fidelity, which has marked his conduct as one of their Representatives during the long and eventful space of thirty-one years.

“Elected April 8, 1776
Sept. 11, 1780
April 6, 1784
June 18, 1790

“Elected May 30, 1796
July 8, 1802
Oct. 31, 1806
Retired April 29, 1807.”

Upon receipt of this Piece of Plate, Mr. Martin returned the following note, addressed to Henry Fowke, esq.:

“ Mr. Martin thinks himself particularly obliged to the Gentlemen of the Committee, for the kind and friendly manner in which they have transmitted to him the truly valuable and elegant Present of the Burgesses and Inhabitants of the Borough of Tewkesbury. His only claim of any reward for his parliamentary conduct must be, that he is thoroughly conscious of never having disgraced the choice of his constituents, by any thing mean, corrupt, or self-interested. The words “ *independence and fidelity*,” which make part of the inscription, are, above all others, those which he would have wished to have been applied to himself.

“ Overbury, Nov. 28, 1807.”

To the universal regret of his family and friends, Mr. Martin died on the 26th of January, 1810, and was buried with his ancestors in the family vault at Overbury.

The following character of him, which first appeared in the obituary of that highly-respectable publication, the Gentleman's Magazine, is an elegant and just eulogium on one of the most upright and patriotic individuals that ever adorned the British Senate:

“ He was a man whose love of justice was sincere and fervent, and it ran through all his conduct. His attachment to order and decorum was seen in all he did; his regard to decency, and hatred of loose and profane conversation, endeared him to the good and worthy, and abashed the dissolute, whom he put to silence, however high their rank; his religion was without ostentation, yet it was the genuine effect of Christianity; it accompanied all his actions, and adorned his life. He was a friend to the poor; he listened to all their wants, and relieved them. His benevolence was conveyed, by secret veins, to the abodes of poverty; and when it arose to view it occasioned a blush upon his cheek. But the performance of the duties of religion in his family he was never ashamed of, let his guests be whom they might. In his conduct as a husband and a father he was exemplary. He was ever attentive to the interests and welfare of his domestics; and had the happiness of all around him greatly at heart. He served his country many years in parliament with inflexible integrity, and attended to its official duties with indefatigable zeal. His independency of conduct was almost proverbial. Though not implicitly devoted to any party, he ever supported the rights and liberties of the people. Firmly attached to the House of Hanover, and the king upon the throne, he was convinced there were faults to be discovered in the cabinets of princes, and that the administration of government is not always right. A true friend to the constitution, as established at the glorious Revolution of 1686, he was jealous of an infringement of its rights, and lamented the injury it has sustained. A sworn foe to

bribery and corruption, he abhorred the infamous arts practised at elections ; and so nice was his sense of propriety and fairness, that he never used any undue influence himself, nor would he suffer any to be used by his friends. In short, both in public and in private life, his predominant character was that of "the upright and honest man." As a friend he was sincere, affectionate, and never-failing. His urbanity and general politeness to all his acquaintance evinced the gentleman ; his hospitality and attention to his guests no one could ever exceed ; yet was his sincerity greater than his politeness. He would never compliment his visitors at the expense of truth ; nor would he give his assent to any assertion in which his heart did not concur. He discouraged flattery, and despised the flatterer. To the cause of virtue, and to the feelings of humanity, he was ever devoted. Every useful, patriotic, and benevolent scheme had his warm patronage and strong support. Under his auspices, and assisted by his personal exertions, arose the institution called "The Severn Humane Society;" and he lived to witness its success, in the recovery of many useful lives. Well acquainted with polite literature, the sciences, and the fine arts, he encouraged and patronized their professors, and was particularly the friend of indigent merit. Such was the man now lost to his family, to his friends, to the poor, to his country ; lost to the cause of virtue and piety ; lost, as a bright example to the world, in which few such remain. But, though lost to us, he is gone, it is hoped, to receive his reward in a better world."

Mr. Martin left behind him three sons, John, Joseph and James, and three daughters, Penelope, Eliza and Anne.

John is the present member for Tewkesbury, and head of the old and respectable banking establishment in Lombard-street. He married, in 1803, Frances, daughter of Richard Stone, esq. a banker in London, and of Chislehurst in Kent, and has issue, Frances Penelope, John, James, Robert and Emily : his second son, Richard, who was of New College, Oxford, died at Bath, on the 5th of June, 1829, aged 23.

Joseph is a chancery barrister, of considerable eminence, and has evinced himself a staunch assertor of the privileges of the people on several important occasions: he married a lady whose maiden name was Hewitt, and whose family resided at Whitehaven, in the county of Cumberland.—James was until lately a partner with his elder brother in the bank, and was captain of the 'Tewkesbury Troop of Yeomanry Cavalry during the late war: he married Julia, daughter of the Rev. John Vignoles, of Portarlington in Ireland, and resides at Colwall in Herefordshire.—Eliza is married to Charles Edward Hanford, esq. of Wollashill ; and the other daughters reside with their truly amiable and venerable mother, at the family mansion at Overbury, about five miles from Tewkesbury.

No. 36.

[Chapter 19.—Page 265.]

A brief Account of the Family of Codrington.

THE Codrington family, which is of considerable antiquity, was settled at Codrington, in the county of Gloucester, in the time of King Henry the fourth. John Codrington, esq. held the dignified situation of standard-bearer to Henry the fifth, in his wars with France, and is supposed to be the same John whose death is recorded on a monumental tablet in Wapley church, at the extraordinary age of 111 years, A.D. 1475. Robert Codrington, a demy of Magdalen College, Oxford, who wrote the Life of Robert Earl of Essex, and died of the plague in London in 1665, was of this family, and born in the county.

The present family is descended from a branch of the Codringtons of Codrington: Christopher, a younger son, in the reign of Charles the first, went with his fortune to Barbadoes, where he died, and left two sons; the eldest of whom, Christopher, became lieutenant-governor of the island of Barbadoes, and afterwards captain-general of the Leeward Islands, in which post he died, leaving also two sons, one of them of his own name. This Christopher, who was born in 1668, was a fellow of All Souls College, Oxford; but being desirous of visiting foreign countries, he entered the army, became a captain of the first regiment of foot guards, and attended King William in the wars of Flanders, where he conducted himself with such gallantry, that, after the peace of Ryswick, he was appointed to succeed his father in the government of the Leeward Caribbee Islands. In 1701, articles of impeachment were brought against him before the Commons of England, by whom he was honourably acquitted; shortly after which, he resigned his government, and retired to the enjoyment of a studious life. He died at Barbadoes in 1710, and bequeathed to the College of All Souls the sum of £.10,000 for the purpose of building a library and furnishing it with books, besides leaving to the same college his own invaluable collection of literary treasures; he also gave £.20,000 to the Society for the Propagation of Christian Knowledge, for the building and endowment of a college at Barbadoes; and left the bulk of his fortune, upwards of £.40,000, to his cousin, Colonel William Codrington, of that island. There is a fine statue of him, in a Roman garb, by Sir H. Cheere, and a bust by Rysbrack, in All Souls College.

Sir William Codrington, the first baronet, so created in 1721, was one of the gentlemen of the privy chamber of George the first, and M.P. for Minehead; he married Elizabeth, daughter and heiress of William Bethell, esq.

of Swindon, Yorkshire, by whom he had issue, 1. William, who succeeded him; 2. John Archibald, 3. Christopher, both of whom died without issue; 4. Edward, who married Rebecca L'Esturgeon, of Mortlake, Surrey, and died in 1775, leaving issue, Christopher, the present baronet; William John, who took the surname and arms of Bethell in 1798, and married Anna Maria Chaloner, of Gainsborough, Yorkshire, niece of the late Lord Harewood; Sir Edward, admiral, G.C.B. and F.R.S. who signalized himself at the battle of Navarino, against the Turks, in 1828; Elizabeth, who died unmarried; and Caroline, married to Joseph Lyons Walvond, of Antigua. Sir William had also five daughters, 1. Elizabeth, died unmarried; 2. Caroline, married Richard Cox, esq.; 3. Dorothy, married William Pennyman, esq.; 4. Mary, married George Bernard, esq.; and 5. Bridget, married William Dowdeswell, esq. of Pull Court, Worcestershire, chancellor of the exchequer, &c. Sir William died 17th Dec. 1738, and was succeeded by his eldest son,

Sir William, the second baronet, who married Anne Acton, of Fulham, Middlesex, by whom he had one son. He was a lieutenant-colonel of the Gloucestershire militia, represented the borough of Tewkesbury in six successive parliaments, and died 11th March, 1792, aged 75.

Sir William, the third baronet, succeeded to the title of his father, and married Mary Kirke, who died in 1789, without issue. He chiefly resided in France, and died at Rennes, 5th Sept. 1816, aged 78. He was succeeded in his title by his first cousin, Christopher, the present baronet, who previously enjoyed the family estates, as devisee of his uncle, the second baronet.

Sir Christopher Bethell Codrington, bart. who represented Tewkesbury in parliament from 1797 to 1812, married Caroline-Georgina-Harriott, daughter of Thomas, second Lord Foley (by Harriott, fourth daughter of William, second Earl of Harrington, by Caroline Fitzroy, eldest daughter of Charles, second Duke of Grafton, K.G.), and has issue, 1. Harriott, born 2d July, 1797; 2. Anna-Maria-Caroline, born 11th July, 1798, married Jan. 3, 1826, to the Hon. Arthur Thelluson, fourth son of the late and brother to the present Lord Rendlesham; 3. Georgina-Elizabeth, born 16th July, 1799, married in 1826 to Henry Peyton, esq. eldest son of Sir Henry Peyton, bart.; 4. Mary, born 30th Jan. 1801; 5. Anna-Maria, died 1802; 6. Anna-Maria, born 1st Oct. 1803, died 20th May, 1823; 7. Christopher-William, born 12th March, 1805; 8. Cecilia, born 19th Feb. 1807; 9. Charles-Bethell, born 19th Sept. 1808; 10. Elizabeth, born 18th Nov. 1809; 11. Charlotte-Octavia, born 5th Feb. 1811; 12. Isabella, died an infant; 13. Edward, born 6th Aug. 1813; 14. Emma, born 15th Dec. 1814; and 15, Augusta-Frederica, born 2d July, 1818.

No. 37.

[Chapter 19.—Page 265.]

A short Pedigree of the ancient Family of Tracy.

THE family of Tracy is descended from the blood-royal of the Saxon kings of England; and the manor of Todington, in the county of Gloucester, has continued in the name of Tracy from the beginning of the reign of King Edward the first—a space of upwards of five hundred and fifty years. “Todintune,” at the time of the Survey, was held by Heraldus, lord of Sudeley, son of Ralph Earl of Hereford, who was son of Goda, youngest daughter of King Ethelred, by Walter de Maigne, a Norman nobleman. John de Sudeley, son and heir of Heraldus, married Grace, daughter of Henri de Traci, lord of Barnstaple, Devon, who came into England with William the Conqueror, and took his name from Traci, a town of Normandy. From this marriage sprang Ralph, who succeeded to the barony of Sudeley; and William, who, in the reign of Henry the second, took his mother’s name of Traci. William probably held the Todington estate of his elder brother Ralph by the service of a knight’s fee; and was one of the four knights who slew Archbishop Becket, in Canterbury cathedral, in 1170.

From this William the family has been continued in the following names, in lineal descent: Oliver de Tracy, 1201;—William de Tracy, 1269;—Sir William Tracy, high-sheriff 1319;—Henry;—Henry;—Thomas, high-sheriff 1359 and three following years;—John, knighted by Edw. III. and knight of the shire and high-sheriff 1366;—Henry;—John, high-sheriff 1379;—William, high-sheriff 1395;—William, high-sheriff 1416;—William, high-sheriff 1442 and 1443;—William, high-sheriff 1449;—Henry;—William, high-sheriff 1512; married Margaret, daughter of Sir Thomas Throckmorton, of Corse Court: he was suspected of heresy after his death, in consequence of some expressions in his will, and his body was taken up and burnt in the reign of Hen. VIII.;—William;—Henry, married Elizabeth, daughter of John Lord Chandos, baron of Sudeley, and died in 1551: his younger brother Richard was settled at Stanway, and from him descended the Tracys of Stanway;—Sir John, high-sheriff 1578, died 1591;—Sir John, high-sheriff 1609, created a viscount 1642;—Robert, second viscount;—John, third viscount;—William, fourth viscount;—Thomas Charles, fifth viscount;—Thomas Charles, sixth viscount, son of the preceding peer, by Elizabeth, grand-daughter of Sir Edw. Keyte, of Ebrington, bart. died in

1792;—John, seventh viscount, half-brother to the above, whose mother was Frances, daughter of Sir John Packington, of Westwood, bart.: he was a doctor in divinity and warden of All Souls College, Oxford, and died without issue, in 1793, shortly after his accession to the title.—He was succeeded by his brother Henry, the eighth and last viscount; on whose death, in 1797, the title became extinct.

Henry left one daughter, heiress to the great estates, the Hon. Henrietta Susannah Tracy, married to Charles Hanbury, esq. of Pontypool, in the county of Monmouth, in 1798, who thereupon took the name of Tracy, and served the office of high-sheriff of the county of Gloucester in 1800. He was elected member for Tewkesbury in 1807, but declined representing the borough in the ensuing parliament.

Mr. Tracy had materially beautified and improved the fine old family mansion at Todington, when, in 1802, a fire destroyed a considerable portion of it: he afterwards, in a great measure, repaired the damage occasioned by this accident, but finding that the site of the house was not the fittest that could have been selected, and probably experiencing much difficulty in accommodating the ancient residence to the conveniences and taste of modern life, without destroying the appearance of antiquity in the exterior, he, about the year 1820, commenced the erection of a large and elegant structure, on an elevated spot at a little distance from the former one. This splendid mansion, when completed, will be a *chef d'œuvre* of that species of architecture which is usually termed Gothic; it will exceed in grandeur of design and in sculptured decoration the once celebrated abbey at Fonthill; and will be a lasting monument to the public spirit and exquisite taste of the liberal-minded proprietor, from whose plans and under whose immediate superintendence the whole of it has been raised.

Mr. Tracy has six sons and three daughters, viz. Thomas Charles Hanbury Leigh, Henry Hanbury, John Capel Hanbury, Arthur Capel Hanbury, William Hanbury, Edward Hanbury, Henrietta Susannah, Frances Hanbury, and Laura Susannah Hanbury.

No. 38.

[Chapter 19.—Page 265.]

A Pedigree of the Dowdeswell Family.

THE highly-respectable family of Dowdeswell has been settled at Bushley, in the county of Worcester, for upwards of two centuries, where they possess a fine estate, including the whole of the parish, with the exception of a cottage or two, as well as extensive possessions in several of the adjoining parishes. The mansion, called Pull Court, which is delightfully situated in the midst of the estate, has been much improved by its present tasteful proprietor and his immediate predecessors, and is enriched by a good library and some fine pictures. The pleasure grounds and plantations are extensive and picturesque, and exhibit, in many of their most admired features, the peculiar taste of the celebrated Launcelot Brown, usually designated "Capability Brown," by whom they were planned. There were originally three distinct manors in this parish: the manor of Bushley Park belonged to the Clares and Dispensers, Earls of Gloucester, and from them it passed by marriage to the Beauchamps, Earls of Warwick: it fell to the king, upon the attainder of Edward Plantagenet, Earl of Warwick, 15 Hen. VII. and was attached to the see of London in the time of Bishop Bonner. An act of parliament was afterwards passed, to enable the bishop of London to sell this manor to Mr. Richard Dowdeswell. There was another manor in the parish, called Bushley Manor, belonging to the abbey of Tewkesbury, which, with the parsonage of Bushley, fell into the king's hands at the suppression of the monasteries, and subsequently passed through the families of Handby and Colles to the Dowdeswells. A third manor here was called Pulls, (signifying, according to Bullet's Etymol. Dict., fertile or abundant,) which once belonged to the crown, and afterwards to the abbey of Tewkesbury. At the dissolution of the abbey, it was again vested in the crown, and subsequently became the property of Sir William Chyld, who sold it to Sir John Rous, from whom it was purchased by Mr. Roger Dowdeswell. These manors are now united, and from the proximity of the Bushley estate to Tewkesbury, the possessors of it have generally had considerable influence in the town; they have usually been members of the body corporate, and have frequently represented the borough in parliament.

The present family is descended in a direct line from John Dowdeswell, who, in the reign of Queen Elizabeth, lived at Hill-House, in the parish of Bushley, which he occupied as tenant of the Wrenfords of Longdon. John had three wives; his first was Sybil —, who died in 1571, by whom he had two sons, Roger and John, and two daughters; his second wife was Johanna Clements, by whom also he had issue; and his third was Elizabeth Taynton.

Roger, eldest son of John, who is described as of New Inn, married Martha Blomer, daughter of Giles Blomer, who was grandson and heir to Johanna Tyndale of Pull Court. In 1606, he bought Hill-House from the Wrenfords; and in 1609, he purchased from his father-in-law, Giles Blomer, the Ox-eye and Frogmore, formerly part of the possessions of Tewkesbury Abbey. He also acquired considerable property in Pull, which was at that period a distinct manor, and which, in 1628, was conveyed to him and to his eldest son Richard. He died in 1633, and was buried in Bushley Church, where there is a mural monument erected to his memory, with a curious laudatory epitaph. He left several children, one of whom was William, of Pembroke College, Oxford, D.C.L., prebend of Worcester and vicar of Tirley; who was, according to Wood, accounted a learned man among those of his society, and often commended by Sir Thomas-Brown for his literary attainments.

Richard, the son of Roger, in 1628, married Ann, daughter of Sir Charles Pleydell, knight of the golden fleece, of Mydge Hall, Wilts, and purchased of John Colles the manor, rectory and parsonage of Bushley. During the civil wars, Richard appears to have taken an active part for the king. The following is an entry in the journals of the house of commons, March 3, 1644: "Resolved, that Mr. Richard Dowdeswell, of Worcestershire, be sent up to the parliament, and not exchanged without the consent of the committee of Worcestershire." On some former occasions he appears also to have been much harassed: in 1642, the house of commons sent for him as a delinquent, "for being active and assisting in the putting the commission of array in execution;" and ordered the serjeant to receive and keep him in safe custody. A petition, and "divers articles annexed," were afterwards preferred against him; and after examining witnesses and questioning the "delinquent," he was committed to the serjeant's custody, but was subsequently discharged upon bail. In 1660, he was returned by Tewkesbury, as one of its members, to the convention parliament, and continued to represent the borough during the remainder of his life. He was an active member of the house; was on most of the committees appointed to consider of the measures fit to be adopted against the regicides, and was one of those to whom it was referred to bring in a bill for their execution. He opposed the proceedings against Lord Clarendon; and having, in one of the debates on the articles of impeachment which had been brought forward against that nobleman, observed, "that there was a violent stream against the chancellor," he was called to the bar, compelled to explain himself, and ask pardon of the house. He died in 1673, aged 73, having had several children, and lies in Bushley church, where there is a monumental inscription, commemorative of him and his wife.

William, his eldest son, who, in 1652, had married Judith, daughter of Sir James Wymondsell, of Putney, knight, succeeded to the family estates.

Between him and his brother Charles there appear to have been some serious disputes and litigations, which were terminated in 1677, by an award of Chief Justice Scroggs. By this award, Charles was directed to convey to William the rectory and parsonage of Bushley, and all tithes, great and small, within the parish. Charles died in 1706, and was buried in Forthampton church.* William's eldest daughter, Elizabeth, married Judge Tracy. He served the office of sheriff of the county of Worcester in 1678, and died in 1683.

He was succeeded in his estates by Richard, his eldest son, who in 1676, married Elizabeth, daughter of Sir Edward Winnington, bart. In 1684, Richard was returned to parliament as representative of the borough of Tewkesbury, a situation he continued to fill during the rest of his life, having been elected for ten successive parliaments. He appears to have had great influence in the borough, for, during part of the time he represented it, his colleague was Sir Francis Winnington, bart. his wife's brother; and at another time, Charles Hancock, esq. who had married his sister. He served the office of sheriff of Worcestershire in 1689, and died in 1711, leaving two sons, William and Francis, and three daughters, Judith, Margaret and Elizabeth, the last of whom married Roger Tuckfield.

William succeeded his father in the family estates, and in 1711, married the Hon. Catharine Cockayne, daughter of Lord Cullen, who died in 1716, leaving two children, William, who died an infant, and Frances, who married William Basil. William, afterwards, in 1719, married Anne Hammond, daughter of Anthony Hammond the poet, and great granddaughter of Sir Dudley Digges, bart. one of the first representatives for Tewkesbury. William was elected member for Tewkesbury in 1710, 1713, and 1715; and served the office of sheriff of Worcestershire in 1726. He died in 1728, leaving by his second wife three sons, William, who succeeded him; George, a physician; and Thomas, who died whilst at Westminster school. George, the second son, was educated at Westminster school and

* This Charles, in 1671, purchased the Forthampton estate from the Earl of Essex, which, on his death, became vested in his son Charles, who married Anne, his cousin, the daughter of Judge Tracy, and who, in the event of his dying without issue male, devised his estates to his brother Richard, charged with the payment of £.10,000 to his daughter Anne, who married Robert Wylde. Charles, the son, died in 1713, without leaving issue male, and in 1733 an act of parliament was passed to enable Richard to sell part of his estates, in order to pay off the portion to Anne. The Forthampton estate was sold, by Richard's son Charles, to Samuel Clarke, who sold it to Dr. Isaac Madox, bishop of Worcester, about 1750. The bishop's daughter and sole heiress carried it by marriage to the Hon. Dr. James Yorke, late bishop of Ely, whose son, Joseph Yorke, esq. is now proprietor of the estate, and lord of the manor of Forthampton.

at Christ Church, Oxford; in 1745 he was elected to one of Dr. Radcliffe's travelling fellowships, and in 1760 married Elizabeth, daughter of Richard Buckle, esq. of Chaceley, by whom he had three sons, William, Charles and George, and one daughter, Frances.

William succeeded to his father's estates when he was a little more than seven years old, having been born in 1721. He was educated at Westminster school, from whence he was, in 1736, removed to Christ Church, Oxford. In 1747 he was returned to parliament as member for Tewkesbury, and in the same year married Bridget, youngest daughter of Sir William Codrington, bart. In 1761 he was elected one of the members for Worcestershire, and continued to represent that county during the rest of his life; his brother-in-law, Sir William Codrington, being returned on his interest for Tewkesbury. Mr. Dowdeswell filled the important situation of chancellor of the exchequer during the Rockingham administration in 1765 and 1766, and was appointed one of his majesty's most honourable privy council. Dr. Belsham, who is not remarkable for eulogising any of the servants of the crown, characterises him as a man of shining talents and inflexible virtue, equally a stranger to the artifices and servility of courts. His character has also been justly delineated in the following elegant lines, written by his intimate friend the Right Hon. Edmund Burke, and engraven on a tablet in Bushley church:

"To the memory of WILLIAM DOWDESWELL,
Representative in Parliament for the County of Worcester,
Chancellor of the Exchequer in the years 1765 and 66, and a Member of the King's Privy Council:
A SENATOR for TWENTY YEARS, A MINISTER for ONE, A VIRTUOUS CITIZEN
for his WHOLE LIFE.
A MAN of unshaken constancy, inflexible integrity, unremitting industry.
HIS MIND was generous, open, sincere.
HIS MANNERS plain, simple, and noble; rejecting all sorts of duplicity and disguise, as useless
to his designs and odious to his nature.
HIS UNDERSTANDING was comprehensive, steady, vigorous, made for the practical business
of the state.
IN DEBATE he was clear, natural, and convincing.
HIS KNOWLEDGE, in all things which concerned his duty, PROFOUND.
He understood beyond any man of his time the REVENUES of HIS COUNTRY; which he preferred
to every thing except ITS LIBERTIES.
He was perfect master of the law of parliament, and attached to its privileges until they were set
up against the RIGHTS of the PEOPLE.
All the proceedings which have weakened GOVERNMENT, endangered FREEDOM, and distracted
the BRITISH EMPIRE, were by him strenuously OPPOSED;
And his last efforts, under which his health sunk, were to preserve his country from a CIVIL
WAR; which, being unable to prevent, he had not the misfortune to see.
He was not more respectable on the public scene than amiable in private life.
Immersed in the greatest affairs, he never lost the ancient native genuine English character of a
COUNTRY GENTLEMAN, disdaining and neglecting no office in life.
He was an useful municipal magistrate; with great care and clear judgment administering
justice, maintaining the police, relieving the distresses, and regulating the manners
of the people in his neighbourhood.
AN HUSBAND and FATHER, the kindest, gentlest, most indulgent. He was every thing to his
family except what he gave up to HIS COUNTRY.
His widow, who labours with life in order to form the minds of his eleven children to the
resemblance of their father, erects this monument."

The right honourable gentleman was chairman of the quarter sessions for the county of Worcester for many years previous to his death, which happened in 1775, at Nice, whither he had retired for the benefit of his health. He left issue, Thomas;—Charles, who died in 1776;—William;—Edward Christopher;—Wentworth, who died an infant;—and John Edmund.—He also left six daughters, Elizabeth, who married Sir W. W. Pepya, bart.;—Charlotte, Arabella, Theodosia, Diana and Caroline. His lady died at Sunbury, Middlesex, in 1818, and was buried in the same vault with her husband at Bushley.

Thomas, on the death of his father, inherited the family property: he entered early in life into the guards, and served with his regiment in America, where, from exposure to cold and damp, his eyes became affected with so serious a malady, that it ended in a total deprivation of sight before he was thirty years of age. He married, in 1798, Magdalena, second daughter of Admiral Sir Thomas Pasley, bart. and died without issue Nov. 11, 1811, aged 57.—Anna Seward, in one of her "Letters," thus describes Pull Court, and Colonel Thomas Dowdeswell and his lady: "Nature and well-directed art have combined to enrich and adorn that noble seat of an ancient family with every charm of landscape; excepting, indeed, the meandering course of a river, or the glassy expanse of a lake. Only a short reach of the Severn is discernible at about a mile's distance. What was originally a noble park, has been, within these twenty years, and by its present owner, converted into a bright, extensive lawn, near a mile across, and of proportionate width." "Little Mrs. Dowdeswell, sensible and very lively, though twenty years younger than her excellent husband, loves him with animated tenderness, and alleviates the misfortune of long-extinguished sight by the most energetic and incessant attention. She reads to him, she writes for him; and, when he is unemployed, she frolics about him with all the sweet-tempered gaiety of Rosalind. His own industrious ingenuity assists her affectionate endeavours to make him forget his calamity. He knotted all the fringe of his furniture himself; he hung all his pictures and prints; knows, and can point out the beauties and defects of each. He placed with his own hands every book in his noble library, and can fetch any volume that is wanted without assistance. He repeats the whole Sunday Evening Liturgy to his family, with solemn and harmonious accuracy. I was affected even to tears when I saw him stand up, and begin that sacred address. His fine height, majestic person, expressive features, and unaffected energy of tone and emphasis, combined with the consciousness of that darkness to which no earthly morning can come, thrilled my heart with blended sensations of pain and pleasure."

William, who was chosen member of parliament for Tewkesbury, on the death of Sir William Codrington in 1792, and again at the general election in 1796, and who succeeded to the family estate on the demise of his eldest

brother Thomas, was, during the greatest portion of a long and valuable life, actively engaged in the military service of his country. In 1780, he entered the army as ensign in the first foot guards; and in 1782, was appointed aid-de-camp to the late Duke of Portland, then lord-lieutenant of Ireland. In 1785, he received a lieutenancy, with the rank of captain in his regiment; and in 1793, joined the army under the Duke of York at Tournay. In the action at Lincelles, Capt. Dowdeswell commanded a company, and was present at the sieges of Valenciennes and Dunkirk. In 1794, he succeeded to a company, with the rank of lieutenant-colonel; and in 1797, was appointed governor and commander-in-chief in the Bahama Islands, whence he returned to England in 1801. In 1797, he received the brevet of colonel; in 1798, a lieutenant-colonelcy in the 60th foot; and in 1803, was removed to the 86th. In 1802, Colonel Dowdeswell was appointed private secretary to Lieut.-Gen. Lord William Bentinck, then governor of Madras; in Sept. 1803, major-general; and in Oct. 1804, to the staff of the Bengal army, which he joined on the 31st of Dec. 1804, immediately taking command of one of the wings. In this situation he remained during the active operations then carrying on against the Mahratta chiefs beyond the frontiers of the British territories, and was present at the siege of Bhurtpore. In Oct. 1805, he was detached by Lord Lake in command of a separate division of the army, consisting of eight thousand men, to co-operate with his lordship in preventing the incursions of the enemy, and protecting that portion of the East India Company's territories called the Doab, and remained in the field until hostilities ceased. On the return of the army into cantonments, the general was appointed to the command of the station at Cawnpore and its dependencies. On Lord Lake's departure for England, in Feb. 1807, General Dowdeswell succeeded, by the appointment of the supreme government of Bengal, to the chief command of the troops in that province, in which he continued until compelled by ill health to return to England in Nov. 1808, when he received the thanks of the government in India for his conduct. In 1808, he obtained a lieutenant-colonelcy in the 60th foot; in 1810, he was promoted to the rank of lieutenant-general; and in 1821, to that of general; soon after which he retired from the army, among those officers who were specially allowed to retain their rank without receiving pay.

During the latter period of his life, General Dowdeswell usually resided at Pull Court, and was in the commission of the peace. After enduring great bodily affliction for many years, he expired on the 1st of Dec. 1828, in the 69th year of his age. His death was thus briefly recorded, in the Gloucester Journal, by a gentleman* who had frequent opportunities of witnessing the

* The Rev. Wm. Prosser, then Incumbent of Bushley.

many amiable traits in his character:—"In his military capacity he had served his king and country with effect and reputation in various parts of the world; he was an useful and upright magistrate; an honest and faithful representative. In the intercourse of society he was distinguished by the urbanity of his manners and his readiness of access. Brave, without rashness; liberal, without profusion; hospitable, without ostentation; steady to his friendships; an indulgent and considerate landlord; and a kind and constant benefactor to the poor. Thus, as he lived esteemed and beloved by the good, so he died lamented by all who were acquainted with his character and real worth."

General Dowdeswell was a great encourager of literature; and at one period his library of books and prints was exceeded in value by few private collections. A portion of his library was sold by Mr. Evans, in Pall Mall, Jan. 10, 1820, and four following days: among many scarce and curious articles was a copy of Gough's "British Topography," the two volumes of which were increased to no less than twenty-four, by the addition of upwards of four thousand views and portraits. The general's prints were soon afterwards sold, at the same place, being described as "the choice selections of the works of the most eminent engravers of all the schools, containing fine and rare specimens of each master, from the commencement of the art to nearly the present æra." His fine collection of Hollars formed a separate sale, in 1821, and alone produced upwards of £.500.* Another portion of his books was sold in London in 1828.

The Lincolnshire property, of which the general was in possession under the will of his cousin, William Pennyman, esq. has devolved to his eldest surviving brother, the Rev. Edward Christopher Dowdeswell, D.D., Canon of Christ Church, Oxford. In the Worcestershire and Gloucestershire estates he has been succeeded by his youngest brother, John Edmund, the present representative in parliament for the borough of Tewkesbury, and a master in chancery, who married Carolina Brietzcke, and has issue, William, John Christopher, and Catharine.

* Walpole's Catalogue of Engravings, by Dallaway.

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ERRATA.

Page 39,	Line 17.	<i>For</i> extends,	<i>Read</i> extends.
88,	29.	ber,	ber.
91,	8.	<i>Horn.</i>	<i>Hon.</i>
182,	33.	1826,	1828.
200,	33.	allegorial,	allegorical.
201,	34.	purgency,	pungency.
247,	31.	Highman,	Highnam.
269,	3.	from,	some.
272,	22.	Cox,	Cocks.

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